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# **JOURNAL**

OF THE

## **HOUSE OF DELEGATES**

OF

# ***VIRGINIA.***

**ANNO DOMINI, 1776.**



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JOURNAL

HOUSE OF DELEGATES

ALBANY

William Green. 1863.

## JOURNAL

OF THE

## HOUSE OF DELEGATES.

GENERAL ASSEMBLY, begun and holden at the Capitol, in the city of *Williamsburg*, on  
*Monday*, the seventh day of *October*, in the year of our Lord one thousand seven hundred  
and seventy-six.

On which day, being the first meeting of this General Assembly, pursuant to the appointment of the late Convention, the members who appeared having taken the oath directed by law, which was administered by the Privy Council, repaired to their seats in the House of Delegates.

Mr. Treasurer reminded the House of the necessity of proceeding to the choice of a Speaker, and moved that *Edmund Pendleton*, Esq. who had before presided over the Convention with ability and integrity, should take the Chair of the House as Speaker; and thereupon the said *Edmund Pendleton*, Esq. was elected without opposition, and conducted to the Chair, from whence he made his acknowledgments to the House for the honour they had again conferred on him.

*Ordered*, That the several officers of the late Convention be continued officers of this House.

*Ordered*, That the Chaplain attend to read prayers every morning at seven o'clock, and that Mr. *Braxton* do wait on the Senate and acquaint them therewith.

The Speaker laid before the House a scheme of trade proposed by the Commissioners of the Navy, and approved by the Governour and Privy Council, with their request that this House would assist in carrying the same into execution; which being read,

*Resolved*, That this House do approve of the said scheme, and that the Treasurer do pay into the hands of the Governour and Council the sum of 5000*l.* for carrying the same into execution, and that Mr. *Jefferson* do carry the same to the Senate for their concurrence.

The Speaker also laid before the Convention a letter from the Hon. *Jahn Page*, Esq. informing him, that although the utmost diligence had been used by the committee appointed to superintend the engraving the seal of the Commonwealth, the same was not yet completed, and desiring the House would take such steps to remedy the inconveniencies arising from the want of a seal, as they should think proper; which was read, and ordered to lie on the table.

Adjourned till to-morrow, 10 o'clock.

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TUESDAY, October 8, 1776.

The Speaker laid before the Convention two letters from the President of the General Congress, enclosing several resolutions of that honourable body; which were read.

*Resolved*, That this House will on *Thursday* next resolve itself into a committee to take into their consideration the said letters and resolutions.

*Resolved*, That this House will to-morrow resolve itself into a committee to take into their consideration the state of the country.

The Speaker laid before the House a letter from the Governour, together with several papers therein referred to; which were read, and ordered to be referred to the committee upon the state of the country.

*Resolved*, That this House will on *Thursday* next proceed to the appointment of a delegate to represent this State in General Congress, in the room of *Thomas Jefferson*, Esq. and of two Privy Counsellors, in the room of



*Benjamin Harrison, Esq. of Berkeley, and Charles Carter, Esq. who have severally declined the said appointments; and that Mr. Starke do wait upon the Senate, and acquaint them therewith.*

A petition of the inhabitants on the western parts of *Fincastle* county, was presented to the House, and read; setting forth, that they became adventurers in that part of the county in the year 1774, and were obliged by the incursions of the *Indians* to abandon their settlements, after having discovered and explored the country; that others afterwards became adventurers, and claimed the lands by warrants from Lord *Dunmore*, under the royal proclamation of 1763; and a company of men from *North Carolina* purchased, or pretended to purchase, from the *Cherokee Indians*, all the lands from the southernmost waters of *Cumberland* river to the banks of the *Louisa* river, including the lands in *Powell's Valley*, by virtue of which purchase, they styled themselves the absolute proprietors of the new independent province of *Transylvania*; that officers, both civil and military, are appointed, writs of election issued, assemblies convened, a land office opened, and lands sold at an exorbitant price, and a system of policy introduced, not agreeing with that lately adopted by the United Colonies, and that they have the greatest reason to question the validity of the purchase aforesaid; that they consider themselves, and the said lands, to be within the State of *Virginia*, whose Legislature they acknowledge, and to which State they conceive they justly belong; that having assembled together, after due notice, they had elected two members to represent them in this House, and hoping they may be received as their delegates; that they are ready and willing, to the utmost of their abilities, to assist in the support of the present laudable cause, by contributing their quota of men and money; and that, in order to preserve good order, they had, as was done in *West Augusta*, elected a committee, consisting of 21 members; and cheerfully submitting their case to the House.

Also a petition from the committee of *West Fincastle* to the same purpose.

Ordered, That the said petitions do lie on the table.

A petition of *John Liviston* was presented to the House, and read; setting forth, that in the year 1758, he was a soldier under the command of capt. *John Dickerson*, and while stationed at *Fort Young*, in an engagement with the *Indians*, he received a wound in his right wrist, which has rendered him incapable of supporting a family, consisting of six small children; that he should long ago have made application for relief, had it not been for his remote situation, and ignorance as to the right mode of applying, and his having some hopes that his wound would grow better, which however has not been the case, and praying such relief as this House shall think reasonable.

Ordered, That the said petition be referred to Mr. Penn, Mr. Terry, and Mr. Watkins; and that they enquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. *Henry Lee*:

MR. SPEAKER,

The Senate have agreed to the resolution of this House for paying the sum of 5000*L.* to the Governor and Council, in order to carry into execution the scheme of trade therein mentioned; and he presented the said resolution at the bar, and then withdrew.

Ordered, That the Committee of Privileges and Elections be revived, to consist of the following persons: Mr. Treasurer, Mr. Bland, Mr. Harrison, Mr. Jones, Mr. Fitzhugh, Mr. Richard Lee, Mr. Fleming, Mr. Richard S. Taylor, Mr. Clayton, Mr. Thornton, Mr. Thomas Lewis, Mr. Banister, Mr. George Mason, Mr. Starke, Mr. Bullitt, Mr. Poythress, Mr. Wilson M. Cary, Mr. Reade, Mr. Johnston, Mr. Meriwether, Mr. Garland, Mr. Farmer, Mr. Montague, Mr. Speed, Mr. Goode, Mr. Cowper, Mr. Cralle, Mr. Nathaniel L. Savage, Mr. George Savage, Mr. Madison, Mr. Moore, Mr. Lankford, Mr. Williams, Mr. Watts, Mr. Booker, Mr. Muse, Mr. McCarty, Mr. Gray, Mr. Henry Taylor, Mr. Brent, Mr. Cocke, Mr. Faulcon, Mr. Gee, Mr. Richard Cary, Mr. Washington, Mr. James Taylor, Mr. Samuel Harwood, Mr. Burwell, Mr. Mercer, Mr. Braxton, Mr. Carter, Mr. Riddick, Mr. Robinson, Mr. Thoroughgood, Mr. Curle, Mr. Kenner, Mr. Simpson, and Mr. Lyne.

Ordered, That the Committee of Propositions and Grievances be revived, to consist of the following persons: Mr. Harrison, Mr. Treasurer, Mr. William Harwood, Mr. Penn, Mr. Lynch, Mr. Bowyer, Mr. Maclin, Mr. Tazewell, Mr. Pattison, Mr. John Cabell, Mr. Scrill, Mr. Strother, Mr. Mayo, Mr. Bird, Mr. Tipton, Mr. King, Mr. Meriwether Smith, Mr. Edmundson, Mr. West, Mr. Pickett, Mr. Scott, Mr. Woodson, Mr. Syme, Mr. Wilkinson, Mr. Norvell, Mr. Wills, Mr. Faulcon, Mr. Gordon, Mr. Clapham, Mr. Braxton, Mr. Carter, Mr. Griffin, Mr. Mann Page of Gloucester, Mr. Bolling, Mr. Prentiss, Mr. Mann Page of Spotsylvania, Mr. Mercer, Mr. M'Dowell, Mr. Bullitt, Mr. Russell, Mr. Kenner, Mr. William Digges, Mr. Campbell, Mr. Harvie, Mr. Wood, Mr. Curle, and Mr. George Mason.

Ordered, That the Committee of Publick Claims be revived, to consist of the following persons: Mr. Richard Lee, Mr. Adams, Mr. Tulbot, Mr. Tazewell, Mr. Benjamin Watkins, Mr. King, Mr. Gordon, Mr. Clayton, Mr. Muse, Mr. Gray, Mr. Thornton, Mr. Clapham, Mr. Terry, Mr. Peyton, Mr. Johnson, Mr. Poythress, Mr. Hite, Mr. Lankford, Mr. Meriwether, Mr. Davenport, Mr. Armistead Russell, Mr. Wilson, Mr. Anderson, Mr. Judkins, Mr. Richard Cary, Mr. Wilkinson, Mr. M'Dowell, Mr. Bowyer, Mr. Scott, Mr. Lockhart, Mr. Campbell, Mr. Gee, Mr. Fulgham, Mr. Simms, and Mr. Fleming.

Adjourned till to-morrow, 10 o'clock.

WEDNESDAY, October 9, 1776.

A petition of *John Tayloe Corbin* was presented to the House, and read; setting forth, that in consequence of a letter written about twelve months ago, he unhappily incurred the displeasure of this House, and was sentenced to confinement to that part of the county of *Caroline* which lies between *Pamunkey* and *Mattaponi* rivers, at the same time giving bond in the penalty of 10,000*l.* not to depart those limits till permitted so to do by this House, or during their recess, by the Committee of Safety, or others having the executive powers of government, to which sentence your petitioner patiently submitted, as it was the pleasure of so respectable a body of his countrymen. That he has found, from five months painful experience, that he must be deprived of the comfort and satisfaction of having his family with him, not having it in his power to accommodate them even tolerably, an inconvenience which, from the scarcity of materials for building, it is impossible at this time to remedy. That the remoteness of his situation prevents his even hearing from his family and friends but very seldom, and occasions great loss to him, from his being unable to visit his plantations in the lower part of the country. That the near approach of winter must render his situation, which has been hitherto very uncomfortable, still more so, if he is longer kept in confinement. That he is sincerely sorry for the unhappy step which has caused the displeasure of this House, and flatters himself that his future conduct will merit the full esteem of his countrymen.

*Ordered*, That the said petition be referred to the Committee of Privileges and Elections; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Two petitions from the inhabitants of *Pittsylvania* were presented to the House, and read; setting forth the great inconveniences to which they were subjected by the extensive bounds of their county, as well in attending their county courts as on other publick occasions, and therefore praying, that a division of their said county might take place.

*Ordered*, That the said petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Daniel Lawson* and *George Gurland*, late inspectors of *Totuskey* warehouse, was presented to the House, and read; setting forth, that in the month of *May*, in the year of our Lord 1775, on the delivery of the tobacco received at the said warehouse, they discovered that one hogshead, marked with the letters H. S. and No. 5, weighing 1065lbs. neat, was missing, and that they had at all times, on leaving the warehouse, secured the doors; that in consequence thereof they applied to the next Assembly after for redress, having been obliged to satisfy the proprietor for his loss of the tobacco, but the Assembly refused to make them any satisfaction for the same, because they had not sued out a search warrant for the tobacco aforesaid, which they conceive could not have been obtained without a violation of law and the constitution, as they could not, with any certainty, make oath that they had good reason to suspect any particular place; and praying to be allowed such satisfaction, for the loss aforesaid, as to this House shall seem just and reasonable.

*Ordered*, That the said petition be referred to the Committee of Public Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Griffin Garland*, surveyor of the county of *Richmond*, and *Charles Barber* of the same county, was presented to the House, and read; setting forth, that the said *Charles Barber*, on the ninth day of *November* last past, did obtain from the Right Hon. *Thomas Lord Fairfax*, proprietor of the *Northern Neck of Virginia*, a warrant to survey certain waste and ungranted lands adjoining the lands of *Charles Carter*, Esquire, lying in the county aforesaid, which warrant he delivered to the said *Griffin Garland*, who proceeded, as he thought it his duty, to survey the lands mentioned in the said warrant on the 12th day of *December* following, but was prevented by the inclemency of the weather from prosecuting the said work until the 24th of *January*, 1776, when both the petitioners were taken into custody by Mr. *Benjamin Bramham*, under sheriff of the said county of *Richmond*, by virtue of a warrant issued by *Landon Carter*, Esquire; expressly requiring the said sheriff to bring them before him; that, in obedience to the said warrant, they attended the said *Landon Carter*, where they were charged with a breach of the peace; that they were thence ordered by a *mittimus* to the jailor of the said county, and at the succeeding court held for the said county, were called, and appeared at the bar, but no determination could be obtained upon their case; that they have attended the said court ever since, and praying that this House would take such order concerning the matters aforesaid as to them should seem just.

*Ordered*, That the said petition be referred to the Committee of Privileges and Elections; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *William Blakely* was presented to the House, and read; setting forth, that on the 15th of *July* last, he had his best horse pressed by Messrs. *Grubb* and *Cox* to bring the *Cookes* down to *Williamsburg*, by which he was much injured; that he has received no satisfaction for the same; that the said *Cox* also left with him a tired horse, which was put in a fresh pasture till his return, and praying such satisfaction as this House shall think just.

*Ordered*, That the said petition be referred to the Committee of Public Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the resolution proposed to the late Convention on the 27th day of *June* last past, the consideration whereof was postponed till the present session of Assembly, be referred to the Committee on the State of the Country.

The House, according to the order of the day, resolved itself into a committee on the state of the country; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration, the state of the country, and had come to the following resolution



thereupon, which he read in his place, and afterwards delivered in at the Clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the late laws relating to the inspection of tobacco, be revived, with amendments.

*Ordered*, That Mr. Treasurer, Mr. *Harrison*, Mr. *Braxton*, Mr. *Starke*, Mr. *Terry*, Mr. *Penn*, Mr. *Wilkinson*, and Mr. *Banister*, be a committee to prepare and bring in a bill pursuant to the said resolution.

*Resolved*, That this House will to-morrow resolve itself into a committee, to take into their farther consideration, the state of the country.

*Ordered*, That the Speaker be desired to issue warrants for the election of delegates to serve in this House for the county of *Berkeley*, in the room of Mr. *Drew*, who hath accepted the office of clerk to the Commissioners of the Navy, and Mr. *Rutherford*, who is chosen Senator for the district of *Frederick*, *Berkeley* and *Hampshire*, and for the county of *Lancaster*, in the room of Mr. *Selden*, who is dead.

*Resolved*, That this House will to-morrow proceed, by ballot, to the appointment of a Privy Counsellor in the room of *John Tayloe*, Esq. who hath declined the said appointment, and that Mr. *Braxton* acquaint the Senate therewith.

Mr. *Penn*, from the committee to whom the petition of *John Liviston* was referred, reported, that the committee had, according to order, had under their consideration the said petition, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the said petition is reasonable, and that the petitioner be allowed the sum of 15*l*. for his present relief, and the farther sum of 5*l*. per annum, during life, as a recompense for the wound he received in the country's service.

*Ordered*, That Mr. *Penn* do carry the said resolution to the Senate, for their concurrence.

The Speaker laid before the House a letter from the Governour, with several papers respecting the case of Capt. *Bascome*, lately arrived in the schooner *Polly*, with a cargo of goods from the island of *Bermuda*, and desiring the advice of the General Assembly, whether the said *Bascome*, and others in similar circumstances, may be allowed to dispose of such cargoes; also respecting the station of Captain *Bowyer's* company of regular forces, in the frontiers; which being read,

*Ordered*, That the Speaker be desired to inform the Governour that this House are of opinion it will be improper for them to interfere in any question concerning the legality of importations of goods, which must be referred to the proper jurisdictions, and determined according to the rules laid down by the General Congress, and former Conventions, until the Legislature shall establish new regulations of trade.

*Ordered*, That the residue of the said letter, and papers respecting Captain *Bowyer's* company, be referred to the committee on the state of the country.

Adjourned till to-morrow, 10 o'clock.

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## THURSDAY, October 10, 1776.

*Ordered*, That Mr. *Ewell* be added to the Committee of Publick Claims.

A message from the Senate by Mr. *Carrington*.

MR. SPEAKER,

The Senate do concur with the House of Delegates, in their resolutions for the choice of a delegate to Congress, in the room of *Thomas Jefferson*, Esquire; and for the choice of three Privy Counsellors, in the room of *Benjamin Harrison*, *Charles Carter* and *John Tayloe*, Esquires, at the time, and in the mode appointed by the House of Delegates: And then he withdrew.

The House, according to the order of the day, proceeded, by ballot, to the appointment of a delegate to represent this State in General Congress, in the room of *Thomas Jefferson*, Esquire; and the members having prepared tickets for the person to be appointed, and put the same into the ballot box, Mr. Treasurer, Mr. *Braxton*, Mr. *Clayton*, Mr. *Starke*, and Mr. *Richard Cary*, were appointed a committee to meet a committee to be appointed by the Senate, and jointly with them to examine the ballot boxes, and report to the House upon whom the majority fell.

*Ordered*, That Mr. Treasurer do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate, in the conference room, and had, jointly with them, examined the ballot boxes, and that the numbers appeared as follows:

For *Benjamin Harrison*, Esq. 69

*Meriwether Smith*, Esq. 5

*Resolved, therefore*, That the said *Benjamin Harrison* be appointed a delegate to represent this State in General Congress.

*Resolved, unanimously*, That the thanks of this House are justly due to the said *Benjamin Harrison*, for the diligence, ability, and integrity, with which he executed the important trust reposed in him as one of the delegates for this country in the General Congress.



The Speaker accordingly delivered the thanks of the House to the said *Benjamin Harrison*, in his place, who expressed the great pleasure he received for this distinguished testimony of his country's approbation of his services.

The House then proceeded in the same manner, to the appointment of three Privy Counsellors, in the room of *Benjamin Harrison*, *John Tayloe*, and *Charles Carter*, Esquires; and it appearing from the report of the committee, that there was a majority of the General Assembly in favour of *James Mercer*, Esq.

*Resolved, therefore*, That the said *James Mercer* be appointed a member of the Privy Council. But there not being a majority in favour of any other person, the House proceeded to ballot, in the same manner, for the appointment of two other members of the Privy Council; and the same members were appointed a committee to examine the ballot box, jointly with a committee of the Senate, from whose report it appears, that there was not a majority of the General Assembly in favour of any person upon the ballot.

It is therefore ordered, that a message be sent to the Senate, acquainting them, that upon the report of the committee appointed to examine the boxes, in which the joint ballots of both Houses for the election of two members for the Privy Council, had been deposited, it appears that neither of the gentlemen voted for, had a majority of the whole, and therefore, according to the former rule, this House intend to proceed to-morrow to a new ballot on that occasion, and desire the Senate will do the same. But, to avoid all future inconvenience, and to secure a determination, which might never happen in the present mode, the House propose, that in the following, and all future elections to be made by joint ballot of both Houses, those who have the greatest number of votes shall be considered as elected, though they may not have a majority of the whole; and if two shall have an equal number of votes, that a question shall be put between them in each House, and the numbers on the division in each communicated at a conference, in order to determine such election. And that Mr. Treasurer do carry the said message.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the letters from the President of the General Congress, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

## FRIDAY, October 11, 1776.

*Ordered*, That Mr. *Jefferson* be added to the committees of Propositions and Grievances, and Privileges and Elections.

A petition of *Mary Webley* was presented to the House, and read; setting forth, that on the first of *January* last past, she had the misfortune to have her leg broken by a cannon ball from the *Liverpool* man of war, while she was giving suck to her child, the youngest of three, now depending on her for support; that her husband, by the loss of his right arm upwards of twenty years since, is scarcely able to support himself; that she hath at present no way to procure shelter, or acquire subsistence for herself and miserable little children, her husband and herself having had all their effects totally destroyed in the flames of *Norfolk*, from whence they have been driven in most distressful circumstances; and praying such aid and relief as this House shall think it reasonable to grant.

*Ordered*, That the said petition be referred to Mr. *Curle*, Mr. *Wilson*, Mr. *Starke*, Mr. *Robinson*, and Mr. *Thoroughgood*; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That a committee of Religion be appointed, of the following persons: Mr. *Braxton*, Mr. *Harwood*, Mr. *Richard Lee*, Mr. *Bland*, Mr. *Simpson*, Mr. *Starke*, Mr. *Mayo*, Mr. *Hite*, Mr. *Fleming*, Mr. *James Taylor*, Mr. *Watts*, Mr. *Lewis*, Mr. *Adams*, Mr. *Curle*, Mr. *Jefferson*, Mr. *Scott*, Mr. *Page* of *Spotsylvania*, Mr. *Treasurer*, and Mr. *M'Dowell*. And they are to meet and adjourn from day to day, and to take under their consideration all matters and things relating to religion and morality, and all such as shall be from time to time referred to them, and report their proceedings, with their opinions thereupon, to the House; and the said committee are to have power to send for persons, papers and records, for their information.

A petition of sundry inhabitants of the county of *Prince Edward*, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that they heartily approve and cheerfully submit themselves to the form of government adopted for this State, and hope that the united *American* States will long continue free and independent; that they esteem the last article of the Bill of Rights as the rising sun of Religious liberty, to relieve them from a long night of Ecclesiastical bondage, and do most earnestly request and expect that this House will go on to complete what is so nobly begun: that is, to raise Religious as well as Civil liberty to the zenith of glory, and make *Virginia* an asylum for free inquiry, knowledge, and the virtuous of every denomination; that justice to themselves and posterity makes it their indispensable duty in particular to entreat, that, without delay, all Church establishments might be pulled down, and every tax upon conscience and private judgment abolished, and each individual left to rise or sink by his own merit, and the general laws of the land.

*Ordered*, That the said petition be referred to the committee of Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. Carrington.

MR. SPEAKER,

The Senate have agreed to a resolution of this House for allowing the sum of fifteen pounds to *John Liviston* for his present relief, and the farther sum of eight pounds *per annum* during life, for the wound he received in the country's service.

The Senate have also agreed to the proposition of this House, that in the election of two Counsellors, and in all future elections, to be made by joint ballot of both Houses, those who have the greatest number of votes shall be considered as elected, and he delivered the same at the bar, and then withdrew.

On a motion made,

*Ordered*, That Mr. *William Dandridge*, junior, be appointed clerk to the committee of Religion.

*Ordered*, That the petitions from the inhabitants of the western parts of *Fincastle*, and from the committee elected by the said inhabitants, presented to the House on *Tuesday* last, and ordered to lie upon the table, be referred to the committee upon the State of the Country.

A petition of *Thomas Slaughter*, on behalf of himself and the other inhabitants situate near *Kentucky*, was presented to the House, and read; setting forth, that they are exposed to the incursions and depredations of the *Indians*, and from their small number are incapable of protecting themselves; that their militia's not being embodied, greatly increases their danger; and praying that some method may be fixed on to protect and defend the said inhabitants, and that in the mean time militia commissions may be issued in order to train the militia.

*Ordered*, That the said petition be referred to the committee upon the State of the Country.

Mr. Treasurer, from the committee of Privileges and Elections, reported, that the committee had, according to order, had under their consideration the petition of *John Tayloe Corbin*, to them referred, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same was again twice read, and ordered to be re-committed to the said committee.

The House, according to the order of the day, proceeded, by ballot, to the appointment of two Privy Counsellors; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot box, Mr. Treasurer, Mr. *Braxton*, Mr. *Clayton*, Mr. *Starke*, and Mr. *Richard Cary*, were appointed a committee to meet a committee to be appointed by the Senate, and jointly with them to examine the ballot boxes, and report to the House upon whom the majority fell.

*Ordered*, That Mr. Treasurer do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot boxes, and that the majority appeared in favour of *Thomas Walker* and *Fielding Lewis*, Esquires.

*Resolved*, therefore, That the said *Thomas Walker* and *Fielding Lewis* be appointed members of the Privy Council of this State.

Mr. Treasurer, from the committee of Privileges and Elections, reported, that the committee had examined several certificates of the election of Delegates, and compared the same with the form prescribed by law, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the certificates of the election of a Delegate to serve in this present General Assembly, for each of the counties of *Chesterfield*, *Culpeper*, *Gloucester*, *Hanover*, *King William*, *New Kent*, *Prince William*, *Stafford*, *Sussex*, *York*, and the city of *Williamsburg*, and of two Delegates for the county of *Norfolk*, are made in the form prescribed by law.

*Ordered*, That the committee of the whole House be discharged from proceeding upon the letters from the President of the General Congress, and resolutions closed therein, and that the same be referred to the committee upon the State of the Country.

The House, according to the order of the day, resolved itself into a committee upon the state of the country, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were again twice read, and agreed to.

On consideration of part of the Governour's letter respecting the calling into actual service twenty-six companies of militia from several counties, and five companies of minute-men of the *Princess Anne* battalion, and the papers referred to on that subject,

*Resolved*, That although they have the greatest confidence that the above measure was adopted by the Governour and Council from the best motives, and a sincere intention to serve the country, yet this committee are of opinion, that, in the present situation of affairs, it is unnecessary to call into service any of the militia, and do therefore recommend to the Governour and Council to order back such as are already in motion, and to countermand the orders given to those who are not yet on their march. If, however, the probable approach of an enemy should render it necessary to call on the militia, they doubt not but the Governour and Council will array so many as the exigence may require, according to the power with which they are invested by law.

*Resolved*, That the inhabitants of the western part of *Fincastle* not being allowed by law a distinct representation in General Assembly, the delegates chosen to represent them in this House, cannot be admitted. At the same



time, the committee are of opinion, that the said inhabitants ought to be formed into a distinct county, in order to entitle them to such representation, and other benefits of government.

*Ordered*, That the Speaker be desired to communicate to the Governour, the first of the said resolutions; and that Mr. Treasurer, Mr. Braxton, and Mr. Jefferson, be a committee to prepare and bring in a bill pursuant to the last resolution.

*Ordered*, That leave be given to bring in a bill *For the establishment of courts of justice within this Commonwealth*; and that Mr. Jefferson, Mr. Smith, Mr. Bullitt, Mr. Fleming, Mr. Watts, Mr. Williams, Mr. Gray, Mr. Bland, Mr. Braxton, and Mr. Curle, do prepare and bring in the same.

*Ordered*, That Mr. Tabb, Mr. Jefferson, and Mr. Richard Squire Taylor, be added to the committee appointed to prepare and bring in a bill *To revive the late laws relating to the inspection of tobacco, with amendments*.

*Resolved*, That this House will to-morrow again resolve itself into a committee to take into their farther consideration the state of the country.

*Ordered*, That Mr. Williams be added to the Committee of Propositions and Grievances.

Adjourned till to-morrow, 10 o'clock.

## SATURDAY, October 12, 1776.

*Resolved, unanimously*, That the thanks of this House are justly due to *Thomas Jefferson*, and *Carter Braxton*, Esquires, for the diligence, ability, and integrity, with which they executed the important trust reposed in them as two of the delegates for this country in the General Congress.

The Speaker accordingly delivered the thanks of the House to the said *Thomas Jefferson* and *Carter Braxton*, in their places, who expressed the great pleasure they received from this distinguished testimony of their country's approbation of their services.

*Ordered*, That the Speaker be desired to issue his warrant for the election of a delegate to serve in this House for the county of *Charles City*, during the necessary absence of *Benjamin Harrison*, Esquire, one of the delegates appointed to represent this country in the General Congress.

Mr. Curle, from the committee to whom the petition of *Mary Webley* was referred, reported, that the committee had, according to order, had under their consideration the said petition, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the said petition is reasonable, and that the petitioner be allowed the sum of ten pounds for her immediate relief.

*Ordered*, That Mr. Curle do carry the said resolution to the Senate for their concurrence.

*Ordered*, That the Speaker be desired to request the attendance of a member of the Privy Council at the Capitol, from the hour of 10 to 11 o'clock in the morning, to administer the oath directed by law to be taken by a delegate, to such of the members as have not already taken the same, and shall be there for that purpose when they shall receive on each day previous notice that the attendance of such Privy Counsellor is necessary.

A petition of *Jacob Cunes* was presented to the House, and read; setting forth, that he was appointed by the Committee of Safety armorer to the troops which marched to *Norfolk* in the month of *November* last; that, before he entered on the said business, he waited on the Committee of Safety to know what wages he was to receive, and was told, that as the Convention had not fixed any price to be paid for those services, they could not inform him, but advised him to continue his accounts in the same manner as he had done those they had already settled with him; that he accordingly undertook the business, purchased necessaries to a considerable amount, and hired several workmen for expediting the business; that he has made out his accounts in the manner he was directed, and waited on the commissioners appointed to examine the publick accounts, but they refuse to settle the same for the services done since the end of *February* last; that the gentlemen authorised to settle the remainder of his accounts have refused to do it, telling him he must charge for his services by the day, and that he must prove the number of days, and hands he employed each day, which is now out of his power to do, as no account of that sort has ever been kept by him, and praying that his accounts may be examined by the gentlemen appointed to examine all publick accounts, or in any other way the House shall think proper.

*Ordered*, That the said petition be referred to the Committee of Publick Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Colin Campbell* was presented to the House, and read; setting forth, that he has for many years held the office of adjutant to a district within this government, and has through the whole time used his best endeavours to train the militia under his care, and he is willing to hope that his country has received some benefit from the diligence with which he discharged that duty; that he has received no satisfaction, or reward, since the 25th of *April*, 1775; that he was advised to apply for a flag to go on board the fleet when at *Norfolk*, in order to obtain a warrant from Lord *Dunmore* to the receiver general, but he chose rather to risk the loss than hold a communication which might bring into the smallest doubt his zeal and attachment to the *American* cause; that the authority by which payments were formerly made from the revenue being now at an end, he hopes this House will make him such satisfaction as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the Committee of Publick Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of *Halifax*, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that great inconveniencies would attend the removal of the courthouse of their county from the place where courts are now held, and praying that courts may be continued and held at the present established place.

Also a petition of *John Bouram*, praying that if the courthouse of the said county of *Halifax* should be removed, it may be to his land, which, on a survey, has been found to be the most central part of the said county.

Also a petition of *George Watkins*, setting forth, that he owns a tract of land within a quarter of a mile of the centre of the said county of *Halifax*, very convenient for the purpose of holding courts; and that if the courthouse shall be directed to be built on his land, he will, at his own expense, remove the timber prepared for building a courthouse, and provide in the mean time a house for holding the court till *Christmas* next.

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of *Isle of Wight*, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that by virtue of an act of Assembly, intituled *An act for ports*, the court of the said county purchased and paid for fifty acres of land situate on the lower side of *Pagan* creek, in the county aforesaid, which they intended for a town, and called the same *Patesfield*; that the inhabitants of the said town, and others intending to settle there, soon finding it would not answer the purpose for which it was intended, being inconveniently situated for trade, removed from their habitations, and others neglected to build on the lots of which they were then possessed, by which means many of the lots remain undisposed of, and others are claimed by persons who have no legal title thereto; and praying that the lots in the said town undisposed of, may be vested in trustees, and sold for the benefit of the county.

*Ordered*, That Mr. *Wills* and Mr. *Fulgham*, be a committee to prepare and bring in a bill pursuant to the prayer of the said petition.

On a motion made,

*Ordered*, That leave be given to prepare and bring in a bill *To enable tenants in tail to convey their lands in fee simple*; and that Mr. *Bland*, Mr. *Jefferson*, Mr. *Starke*, and Mr. *Bullitt*, do prepare and bring in the same.

*Ordered*, That leave be given to prepare and bring in a bill *For the revision of the laws*; and that Mr. *Bland*, Mr. *Jefferson*, and Mr. *Starke*, be a committee for that purpose.

*Ordered*, That Mr. *Smith* be added to the Committee of Privileges and Elections, Mr. *Terry* and Mr. *Watkins*, to the Committee of Propositions and Grievances, and Mr. *Nelson*, to the Committee of Privileges and Elections, Propositions and Grievances, and to the committee appointed to prepare and bring in a bill to revive and amend the late laws relating to the inspection of tobacco.

*Ordered*, That a Committee for Courts of Justice be appointed, of the following persons: Mr. *Jones*, Mr. *Woodson*, Mr. *Gray*, Mr. *Taylor*, Mr. *King*, Mr. *Fleming*, Mr. *Curle*, Mr. *Bullitt*, Mr. *Richard Cary*, Mr. *Clayton*, Mr. *Robinson*, Mr. *Watts*, Mr. *Williams*, Mr. *Strother*, Mr. *Wills*, Mr. *Ewell*, Mr. *Talbot*, and Mr. *Scott*; and they are to meet and adjourn from day to day, and to take into their consideration all matters relating to Courts of Justice, and such other matters as shall from time to time be referred to them, and report their proceedings, with their opinions thereupon, to the House. And the said committee are to inspect the journals of the last session, and draw up a state of the matters then depending and undetermined, and the progress that was made therein, and report the same to the House, and also examine what laws have expired since the last session, and inspect such temporary laws as will expire with the end of this session, or are near expiring, and report the same to the House, with their opinions which of them are fit to be revived and continued; and the said committee are to have power to send for persons, papers, and records, for their information.

*Resolved*, That the farther sum of 100*l*. current money be advanced to *James Vaughan*, on his giving bond with sufficient security to repay the same in saltpetre, at the price of three shillings per pound; and that Mr. *Adams* do carry the same to the Senate for their concurrence.

*Ordered*, That the several County Court Clerks do immediately transmit to this House copies of the list of tithables in their counties, and also the publick accounts, to enable the Committee of Claims to lay the publick levy.

The House, according to the order of the day, resolved itself into a committee on the state of the country; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolutions thereupon, which he read in his place, and afterwards delivered in at the Clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the Governour be authorised to issue all necessary commissions under his signature, without any seal, till the seal of the Commonwealth can be provided, as directed by ordinance of Convention.

*Resolved*, That so much of an ordinance of the last Convention as fixes the stations of the troops raised for the protection of the frontiers, ought to be repealed.

*Ordered*, That Mr. Treasurer, Mr. *Jefferson*, and Mr. *Smith*, do prepare and bring in a bill pursuant to the first of the said resolutions; and that Mr. Treasurer, Mr. *Lewis*, Mr. *M'Dowell*, Mr. *Hite*, and Mr. *Lockhart*, do prepare and bring in a bill pursuant to the second resolution.



*Resolved*, That this House will on *Monday* next again resolve itself into a committee to take into their further consideration the state of the country.

*Ordered*, That leave be given to bring in a bill *To continue the powers given to the Governour and Council by an ordinance of the last Convention*, which will shortly expire; and that Mr. *Starke*, Mr. *Bullitt*, and Mr. *Jefferson*, do prepare and bring in the same.

*Ordered*, That Mr. *Anderson*, Mr. *Brent*, and Mr. *Ewell*, be added to the committee appointed to bring in a bill *To revive and amend the late laws relating to the inspection of tobacco*.

*Ordered*, That Mr. *Bullitt*, Mr. *Wills*, Mr. *Smith*, and Mr. *Griffin*, be added to the committee of Religion. A petition of the inhabitants of the counties of *Amherst* and *Bedford*, whose names are thereunto subscribed, was presented to the House, and read; setting forth, that having frequently business at the courts of the said counties, and having the *Fluvannah* river to cross, they are obliged to go greatly out of their way; that a ferry established across the said river at or near the lower end of *Henry Trent's* land, on the north side of the said river, in the county of *Amherst*, to the land of *Nicholas Davies*, in *Bedford* county, would be much more convenient to your petitioners, and also to travellers, and no ways inconvenient or prejudicial to others; and praying, that a ferry may be established at the above mentioned place.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding upon the petitions of sundry inhabitants of the parish of *Stratton-Major*, in the county of *King* and *Queen*, of the members of the *Baptist Church* in the county of *Prince William*, and of sundry inhabitants of the parish of *Newport*, in the county of *Isle of Wight*, and that the same be referred to the Committee of Religion.

On a motion made, that the House do agree to the following resolution,

*Resolved*, That the Governour, with the advice of the Privy Council, be empowered to purchase, on account of the publick, and at a generous price, all the salt that may be imported into this country, in course of the next six months, and that he be authorised to issue his warrant to the Treasurer to pay for the same; that such salt, when purchased, be immediately stored in some convenient and secure parts of the country, and distributed by order of the Governour, with advice of the Council, amongst the inhabitants of the different counties, in such proportions as their exigencies may require, and the quantity procured may admit, regard being principally had to such counties as are farthest removed from salt water; and that the receivers of the salt do pay into the hands of such persons as may be appointed for that purpose, at the time of the delivery, so much per bushel as the Governour, with the advice of the Council, may judge reasonable; the money, when received, to be paid with all convenient despatch into the treasury, for reimbursing the publick.

*Ordered*, That the said resolution be referred to the Committee of Propositions and Grievances; and they are to consider thereof, and report the same, with their opinion thereupon, to the House.

Adjourned till *Monday*, 10 o'clock.

## MONDAY, October 14, 1776.

The Speaker laid before the House a letter from Mr. *James Tail*, which was read, and ordered to lie upon the table.

A petition of *Charles Henley* was presented to the House, and read, praying to be released from his confinement.

*Ordered*, That the said petition be referred to the Committee of Privileges and Elections; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That the commissioners of the navy be empowered to employ any of the seamen taken prisoners on board the ship *Oxford*, in the cruisers or row-gallies belonging to this country, if they shall be willing to enter into the service.

*Ordered*, That Mr. *Starke* do carry the said resolution to the Senate for their concurrence.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petitions of sundry inhabitants of the county of *Pittsylvania*, to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That so much of the said petitions as pray for a division of the county, is reasonable.

*Resolved*, That so much of the said petitions as pray that the lines therein respectively described, may be the dividing line, be rejected.

*Resolved*, That a line ought to be run from the mouth of *Blackwater*, on *Staunton* river, parallel with the line of *Halifax* county, till it strikes the country line.

*Ordered*, That the Committee of Propositions and Grievances do prepare and bring in a bill pursuant to the said resolutions.

*Ordered*, That leave be given to bring in a bill for the removal of the seat of government; and that Mr. *Jefferson*, Mr. *Adams*, and Mr. *Starke*, do prepare and bring in the same.

*Ordered*, That the said bill be presented on *Monday the 11th day of November*; that there be then a call of the House, and that in the mean time the Speaker write letters to the members, requiring them to attend on that day, in their places, on pain of the censures of the House, and send such letters by such conveyances as may occur.

A petition of *William Wilson* was presented to the House, and read; setting forth, that he was a Serjeant in Captain *Lewis's* company, in the battle with the *Ohio Indians*, in *October 1774*, and received a wound a little below his left breast, which went through his body, and came out at the point of his shoulder blade, after which he was a considerable time afflicted, and even now, when he follows his labour, finds some inconvenience and pain; and praying that his case may be considered, and such relief granted as may be judged reasonable.

Also a petition of *Walter Steward*, setting forth, that he was appointed Adjutant to the *Botetourt* and *Fincastle* troops on the expedition against the *Ohio Indians*; that his duty required he should have a horse, which he accordingly procured, and had appraised, and was continued in the service until the battle at *Point Pleasant*, after which he never could be found; and praying to be allowed the sum of *14l.* for the said horse, the price at which he was valued.

*Ordered*, That the said petitions be referred to the committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill declaring slaves to be personal estate, and that Mr. *Bullitt* and Mr. *Robinson* do prepare and bring in the same.

Mr. *Jefferson*, from the committee appointed, presented, according to order, a bill *To enable tenants in tail to convey their lands in fee simple*; which was read the first time, and ordered to be read a second time.

On a motion made,

*Resolved*, That this State, contributing to the expense of the navy built by the continent, ought also to share in the protection which it may yield to the *American* trade, and therefore that the delegates attending the General Congress from this country be directed to apply for as many of the ships and vessels of war, to be stationed on this coast, as they may judge reasonable, subject to the call of Congress, whenever the general good of the continent may require a junction of the whole navy.

*Ordered*, That Mr. *Braxton* do carry the said resolution to the Senate for their concurrence.

*Ordered*, That Mr. *Jones*, Mr. *Henry*, Mr. *Tazewell*, and Mr. *Read*, be added to the committee appointed to prepare and bring in a bill *For the establishment of Courts of Justice*.

A petition of *Thomas Jacobs* and *Edmund Bailey*, was presented to the House, and read; setting forth, that a negro man slave belonging to the petitioner *Jacobs*, and three others belonging to the said *Bailey*, seized a small vessel and made an attempt to get to lord *Dunmore*, but happened to miss the fleet, and fall into the hands of some of the country soldiers, by whom they were secured, and sent to *Williamsburg*; that one of them was returned to the said *Bailey*, and the three others sent to work in the mines, for whose labour they were to receive a price; that their situation in life makes it inconvenient for them to be without the assistance of those slaves to till their lands, and as the fear of desertion to our enemies is now happily removed, they hope there are no publick reasons why they should be longer continued where they are.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. *Henry*, Mr. *Tazewell*, and Mr. *Read*, be added to the Committee for Courts of Justice.

*Ordered*, That Mr. *Madison*, Mr. *Syme*, Mr. *Moore*, and Mr. *Fitzhugh*, be added to the Committee of Religion.

*Ordered*, That leave be given to bring in a bill *For the naturalization of foreigners*; and that Mr. *Jefferson*, Mr. *Bland*, and Mr. *Terry*, do prepare and bring in the same.

*Ordered*, That Mr. *Maclin* have leave of absence from the service of this House, until this day fortnight, for the recovery of his health.

Mr. *Jefferson*, from the committee appointed, presented, according to order, a bill *For the naturalization of foreigners*; which was read the first time, and ordered to be read a second time.

The order of the day, for the House to resolve itself into a committee on the state of the country, being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Mr. *Jones*, and Mr. *Smith*, be added to the committee appointed to prepare and bring in a bill *To revive the late laws relating to the inspection of tobacco, with amendments*.

*Ordered*, That Mr. *Simpson*, and Mr. *Nathaniel L. Savage*, be added to the Committee of Propositions and Grievances, and Mr. *Anderson* to the Committee of Religion.

Adjourned till to-morrow, 10 o'clock.

TUESDAY, October 15, 1776.

The Speaker laid before the House a letter from the Governour enclosing one from the President *Rutledge* to him, desiring Messrs. *Warley* and *Lesene*, officers from *South Carolina*, might not be impeded in enlisting men in this country, and requesting the countenance and support of this State in their favour; which was read, and ordered to lie on the table.



Mr. *Bland*, from the committee appointed, presented, according to order, a bill *For the revision of the laws*; which was read the first time, and ordered to be read a second time.

Mr. Treasurer, from the committee appointed, presented, according to order, a bill *To empower the Governour to issue commissions without the seal of the Commonwealth*; which was read a first time, and ordered to be read a second time.

Mr. *Starke*, from the committee appointed, presented, according to order, a bill *To continue the powers given to the Governour and Council by an ordinance of the last Convention, which will shortly expire*; and the said bill was read the first time, and ordered to be read a second time.

Mr. *Braxton*, from the committee appointed, presented, according to order, a bill *For dividing the county of Fincastle into two distinct counties*; which was read the first time, and ordered to be read a second time.

A bill *To enable tenants in tail to convey their lands in fee simple* was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will on *Tuesday* next resolve itself into a committee upon the said bill.

The House, according to the order of the day, resolved itself into a committee on the state of the country, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Treasurer reported, that the committee had, according to order, had under their farther consideration the state of the country, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That six new battalions of infantry be raised and employed in the continental service, upon the terms and according to the requisition of the General Congress, and that provision be made for completing the nine battalions formerly raised, and extending the additional bounty to such of them as shall be willing to enlist on the like terms.

*Ordered*, That Mr. Treasurer, Mr. *Nelson*, Mr. *Bullitt*, Mr. *Jefferson*, and Mr. *Smith*, do prepare and bring in a bill pursuant to the said resolution.

A message from the Senate by Mr. *Cabell*:

MR. SPEAKER,

The Senate have agreed to the resolution of this House for advancing to *James Vaughan* the sum of 100*l.* on his giving bond, with sufficient security, to repay the same in saltpetre; and then he withdrew.

The Speaker laid before the House a letter from the Governour, enclosing a resolution of the General Congress; which was read, and ordered to be referred to the Committee on the State of the Country.

A message from the Senate by Mr. *Elzey*:

MR. SPEAKER,

The Senate have agreed to the resolution of this House empowering the Commissioners of the Navy to employ any of the seamen taken prisoners on board the ship *Oxford* in the cruisers or row-gallies belonging to this country, if they shall be willing to enter into the service; and then he withdrew.

Mr. *Lee*, from the Committee of Public Claims, reported, that the committee had, according to order, had under their consideration the petition of *Colin Campbell* to them referred, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the said petition, praying the usual allowance for the petitioner's services, as adjutant of the militia in the southern district of this country, from the 25th day of *April*, 1775, be rejected.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petition of *Thomas Jacobs*, and *Edmund Bailey*, to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the said petition is reasonable, and that the slaves *Joe Acum*, *Joe*, and *Peter*, in the petition mentioned, be delivered to the petitioner.

On a motion made,

*Resolved*, That *Luke*, a negro man slave belonging to *John Bailey*, employed in the lead mines, be in like manner delivered to him.

*Resolved*, That the Governour be desired to take proper measures for the removal of the said several slaves to the city of *Williamsburg*, at the publick expense.

A petition of *William Unwon*, *Francis Jackson*, *Peter Myet*, and *Richard Habbitt*, prisoners of war of the fourteenth regiment of *British* regulars, was presented to the House, and read; setting forth, that they are greatly distressed for want of necessary clothing, and praying that this House, in their wonted lenity and tenderness, will take their case into consideration, and grant them such supplies of necessary clothing as shall be judged reasonable.

*Ordered*, That the said petition be referred to the Committee upon the State of the Country.

Mr. Treasurer, from the committee appointed, presented, according to order, a bill *To repeal so much of an ordinance as fires the stations of the troops raised for the protection of the frontiers*; which was read the first time, and ordered to be read a second time.

A bill *To empower the Governour to issue commissions without the seal of the Commonwealth*, was read a second time, and ordered to be committed to Mr. Treasurer, Mr. *Smith*, and Mr. *M<sup>r</sup> Dowell*.

A petition from the inhabitants of *Tyger's Valley* was presented to the House, and read; setting forth, the great inconveniencies which would attend their being considered as inhabitants of *West Augusta*, as well in regard to their trade as publick business, and praying they may still be allowed to continue in *East Augusta*.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Another petition from the said inhabitants was presented to the House, and read; setting forth, that they are in a very remote situation, and not within less than eighty miles of any relief in case of an attack from the *Indians*, which they daily expect; that, notwithstanding their weakness, they are unanimously willing to withstand the enemy; and praying that three companies of rangers may be employed for their defence, and stationed in different forts, as may best answer the purpose.

*Ordered*, That the said petition be referred to the Committee upon the State of the Country.

Mr. *Braxton*, from the committee appointed, presented, according to order, a bill *For dividing the county of Pittsylvania*; which was read the first time, and ordered to be read a second time.

Two petitions of sundry inhabitants of the counties of *King George* and *Stafford*, were presented to the House, and read; praying, that the boundaries of the said counties may be established agreeable to the report of the commissioners formerly appointed to regulate the same.

*Ordered*, That leave be given to bring in a bill pursuant to the prayer of the said petitions; and that Mr. *Jones*, Mr. *Fitzhugh*, Mr. *Brent*, and Mr. *Carter*, be a committee to prepare and bring in the same.

A bill *For the naturalization of foreigners* was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will on *Friday* next resolve itself into a committee on the said bill.

*Ordered*, That leave be given to bring in a bill *To appoint auditors of publick accounts*, and that Mr. *Griffin* and Mr. *Jefferson* do prepare and bring in the same.

*Resolved*, That this House will to-morrow again resolve itself into a committee, to take into their farther consideration the state of the country.

*Ordered*, That Mr. *Kenner* and Mr. *Burwell* be added to the Committee of Religion, and that Mr. *Tarleton Fleming* be added to the Committee of Propositions and Grievances.

*Ordered*, That the committee to whom it was referred, at the last Convention, to settle and state such of the claims against the publick, on account of the late expedition against the *Indians*, as then remained unsettled, and to revise those already settled in *West Augusta*, be revived, to consist of the following persons: Mr. *Thomas Lewis*, Mr. *Fleming*, Mr. *Winn*, Mr. *Wood*, Mr. *Bird*, Mr. *Tipton*, Mr. *Hite*, Mr. *Simms*, Mr. *M'Dowell*, Mr. *Madison*, Mr. *Moore*, Mr. *Strother*, Mr. *Simpson*, Mr. *Richard Cary*, Mr. *Lockhart*, Mr. *Bowyer*, Mr. *Johnson*, and Mr. *Bullitt*.

Adjourned till to-morrow, 10 o'clock.

### WEDNESDAY, October 16, 1776.

Mr. *Richard Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of *Waller Steward*, adjutant to the *Botelourt* and *Fincastle* troops, on the expedition against the *Ohio Indians* in the year 1774, to be allowed for a horse which he furnished by permission of the commanding officer, who thought the duty of that office necessarily required one, and was lost in that service, is reasonable, and that the petitioner be allowed 14*l.* for the said horse, being the sum to which he was appraised.

*Resolved*, That the petition of *William Wilson*, a serjeant in Capt. *Lewis's* company, who was wounded in the engagement with the *Ohio Indians*, in *October*, 1774, by a ball which passed through from the left side of the breast to the shoulder blade, is reasonable, and that the petitioner be allowed the sum of 25*l.* as a recompense for the wound he received in the country's service.

*Ordered*, That Mr. *Lee* do carry the said resolutions to the Senate for their concurrence.

Mr. *Jones*, from the committee appointed, presented, according to order, a bill *For altering and establishing the boundaries of the counties of Stafford and King George*; which was read the first time, and ordered to be read a second time.

A bill *For the revision of the laws*, was read a second time, and ordered to be engrossed and read a third time.

A bill *To continue the powers given to the Governour and Council by an ordinance of the last Convention*, which will shortly expire, was read a second time, and ordered to be engrossed and read a third time.

A bill *To repeal so much of an ordinance as fixes the stations of the troops raised for the protection of the frontiers*, was read a second time, and ordered to be engrossed and read a third time.

A bill *For dividing the county of Pittsylvania into two distinct counties*, was read a second time, and ordered to be engrossed and read a third time.



Mr. Treasurer, from the committee to whom the bill *To empower the Governour to issue commissions without the seal of the Commonwealth* was committed, reported, that the committee had gone through the bill, and had made some amendments thereto; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed, and read a third time.

A bill *For the dividing the county of Fincastle into two distinct counties*, was read a second time, and ordered to be committed to Mr. Jefferson and the members for *Augusta* and *Botetourt*

*Ordered*, That leave be given to bring in a bill *For amending and farther continuing an ordinance to amend An ordinance intituled an ordinance for establishing a mode of punishment for the enemies of America in this colony*; and that Mr. Bullitt, Mr. Griffin, Mr. Lee, Mr. Curle, Mr. Henry, and Mr. Jefferson, do prepare and bring in the same.

*Ordered*, That Mr. Starke and Mr. Goode, be added to the Committee of Propositions and Grievances, Mr. Norvell and Mr. Talbot to the Committee of Religion, and Mr. Williams to the Committee of Publick Claims.

*Resolved*, That this House will not proceed to business without a majority of members be present.

An engrossed bill, *To empower the Governour to issue commissions without the seal of the Commonwealth*, was read a third time.

*Resolved*, That the bill do pass, and that the title be *A bill to empower the Governour to issue commissions without the seal of the Commonwealth, and to confirm those already issued*.

*Ordered*, That Mr. Treasurer do carry the said bill to the Senate for their concurrence.

Mr. Jefferson, from the Committee of Privileges and Elections, reported, that the committee had, according to order, had under their consideration the information against *David Ross*, charging him with having delivered a colonel's commission to bring the *Indians* against this country, and having examined sundry witnesses, find their testimony had no relation to the charge, and had therefore come to the following resolution thereupon:

*Resolved*, That the accusation contained in the information lodged before Mr. Williams in the county of *Pitsylvania*, and afterwards given in to the Convention against *David Ross*, is false and groundless.

On a motion made,

*Ordered*, That the witnesses who have attended the said examination be allowed for their attendance by the Committee of Publick Claims.

A petition of the dissenters from the ecclesiastical establishment was presented to the House, and read; setting forth, that being delivered from *British* oppression, in common with the other inhabitants of this Commonwealth, they rejoice in the prospect of having their freedom secured and maintained to them and their posterity inviolate; that their hopes have been raised and confirmed by the declarations of this House with regard to equal liberty, that invaluable blessing, which, though it be the birthright of every good member of the State, they have been deprived of, in that, by taxation, their property hath been wrested from them and given to those from whom they receive no equivalent; that having long groaned under the burthen of an ecclesiastical establishment, they pray that this, as well as every other yoke, may be broken, and that the oppressed may go free, that so, every religious denomination being on a level, animosities may cease, and Christian forbearance, love, and charity, practised towards each other, while the Legislature interferes only to support them in their just rights and equal privileges.

*Ordered*, That the said petition be referred to the Committee of Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of the committee of *Dunmore* county, praying that some mode may be adopted to oblige those who conscientiously scruple the use of arms to make an adequate contribution towards the public expense in lieu thereof, and submitting it to the House whether it might not be reasonable to allow any person who should choose to contribute to the support of the publick in lieu of attending musters, the same indulgence as to those who refuse from conscientious principles

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *John Craig* was presented to the House, and read; setting forth, that his waggon and team were employed in the service of the country, and ordered to attend the seventh regiment on their march from *Williamsburg* to *Gloucester*, about the 15th of *March* last, when the roads were in very bad order; that upon examining the horses, after they were let loose from the waggon, one of them appeared to be sick, and died in the space of half an hour, which he supposed was occasioned by the severity of the service, and praying to be allowed 25*l.* the sum at which he was appraised.

Also a petition of *Samuel Pritchard*, praying to be allowed an equal dividend of the money produced by the sales of the estate of Lord *Dunmore*, with the rest of his creditors, towards satisfying the balance of 61*l.* 2*s.* 3*d.* due to the petitioner for a tract of land sold him.

Also a petition of *John Cox*, setting forth, that in the month of *February*, 1773, Mr. *John Lightfoot*, and others, came to the house of the petitioner, and pressed his horse, in order to apprehend *Benjamin Cook*, *Shem Cook*, *Joseph Cook*, and *Benjamin Woodward*, for counterfeiting the paper currency of this country, which horse was upwards of a week in the service, and never returned to the petitioner, but died, as he has been informed, from the severe usage he received, and praying to be allowed a reasonable satisfaction for the said horse.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to empower the Governour to issue commissions without the seal of the Commonwealth, and to confirm those already issued*; and he presented the same at the bar, and then he withdrew.

Mr. *Braxton*, from the committee appointed, presented, according to order, a bill *To revive the late laws relating to the inspection of tobacco, with amendments*; which was read the first time, and ordered to be read a second time.

The order of the day, for the House to resolve itself into a committee on the state of the country, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

#### THURSDAY, October 17, 1776.

*Ordered*, That there be a call of the House to-morrow morning, at 10 o'clock, and that the serjeant at arms do immediately summon the absent members to attend their duty in this House.

*Ordered*, That the several venire-men and witnesses attending for the trial of criminals, be discharged, having first entered their attendance with the clerk of the Committee of Publick Claims.

Mr. *Jefferson*, from the committee to whom the bill *For dividing the county of Fincastle into two distinct counties*, was committed, reported, that the committee had gone through the bill, and made several amendments thereto; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. *Poythress*, a member for the county of *Prince George*, informed the House, that frequent fits of the gout, and other infirmities, had rendered him unable to attend the duties of his appointment with the diligence and constancy which the present crisis requires, and he is apprehensive that injury from thence may arise to the publick in general, and his constituents in particular; wherefore he moved, that his seat in the House might be declared vacant, and a warrant issue for the election of a delegate to serve in his room.

*Ordered*, That a warrant be issued for the election of a delegate to serve in this House in the room of the said Mr. *Poythress*, who is discharged from the trust, on his request, for the reasons aforesaid.

A petition of *Joseph Mitchell* was presented to the House, and read; setting forth, that he is possessed of about 1000 acres of land in *West Augusta*, through which runs a ridge of rocks found to be strongly impregnated with saltpetre, and, from experiments which have been made, the quantity appears to be inexhaustible; that gunpowder of the best quality has been made from the saltpetre, which will appear from several certificates; that at the foot of the rocks there runs a constant stream of water, sufficient for powder mills; that a desire of entering into the military service prevents his prosecuting the work, and therefore offering the said land to the publick for such consideration as they shall judge reasonable.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

An engrossed bill, *To repeal so much of an ordinance as fixes the stations of the troops raised for the defence of the frontiers*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Treasurer do carry the same to the Senate for their concurrence.

An engrossed bill, *To continue the powers given to the Governor and Council by an ordinance of the last Convention, which will shortly expire*, was read a third time.

*Resolved*, That the said bill do pass; and that the title be, *An act for the farther continuance of certain powers given to the Governour and Council by an ordinance of the last Convention*.

*Ordered*, That Mr. *Starke* do carry the said bill to the Senate for their concurrence.

An engrossed bill, *For the revision of the laws*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Jefferson* do carry the same to the Senate for their concurrence.

A message from the Senate by Mr. *Mason*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House for paying the sum of 10*l*. to *Mary Webley*, for her immediate relief, and the sum of 25*l*. to *William Wilson*, as a recompense for the wound he received in the country's service; and he delivered the same in at the bar, and then withdrew.

An engrossed bill, *For dividing the county of Pittsylvania into two distinct counties*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Williams* do carry the same to the Senate for their concurrence.



Mr. Jones, from the Committee for Courts of Justice, reported, that the committee had inquired what laws had expired since the last session, or will expire with the end of this session, or are near expiring, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the act of Assembly passed in the year 1769, intituled *An act to prevent the exorbitant exactions of the collectors of the county and parish levies*, which expired in the year 1774, ought to be revived and amended.

*Resolved*, That the act of Assembly which passed in the year 1745, intituled *An act for the better regulating and collecting certain officers' fees, and for other purposes therein mentioned*, which was continued and amended by another act passed in the year 1772, which expired the 12th day of *April*, 1774, ought to be revived and amended.

*Resolved*, That the act of Assembly passed in the year 1763, intituled *An act for the more effectual keeping the publick roads and bridges in repair*, which was continued and amended by another act passed in the year 1766, and was revived and continued by another act passed in the year 1772, which expired the 11th day of *April*, 1774, ought to be revived and amended.

*Ordered*, That the Committee of Propositions and Grievances do prepare and bring in bills pursuant to the said resolutions.

A bill *To revive the late laws relating to the inspection of tobacco, with amendments*, was read a second time, the blanks therein filled up, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will to-morrow resolve itself into a committee on the said bill.

The House, according to the order of the day, resolved itself into a committee on the bill *To enable tenants in tail to convey their lands in fee simple*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.

A bill *For altering and establishing the boundaries of the counties of Stafford and King George*, was read a second time, the blanks therein filled up, and ordered to be engrossed and read a third time.

A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to repeal so much of an ordinance as fixes the stations of the troops raised for the protection of the frontiers*.

The Senate have also agreed to the bill intituled *An act for the farther continuance of certain powers given to the Governour and Council by an ordinance of the last Convention*; and he delivered the same at the bar, and then withdrew.

A petition of *John George Woolfolk* was presented to the House, and read; setting forth, that he entered with a company of volunteers from the county of *Caroline*, and marched to *Williamsburg*, for the defence of the country, and being taken sick in the said service, he was obliged to employ a doctor, whose charge amounted to 2*l*. 18*s*. 6*d*. which he hopes may be repaid him.

*Ordered*, That the said petition be referred to the Committee of Publick Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee upon the state of the country, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That Messrs. *Wartley* and *Lesene*, officers from *South Carolina*, be permitted to recruit soldiers in this country, not exceeding fifty, provided they do not enlist any of the regulars, marines, or minute-men, already engaged here; and that it be recommended to the several county committees to afford them all possible assistance.

*Resolved*, That the Governour be desired to forward all the lead now at the lead mines, and which can be spared from the service of this country, to the city of *Philadelphia*, for the use of the continent; and that he will be pleased to lay before this House the present state of the lead mines, with the number of hands employed in working the same.

*Resolved*, That this House will to-morrow again resolve itself into a committee to take into their farther consideration the state of the country.

*Ordered*, That Mr. *Tabb* have leave to be absent from the service of this House until *Monday* fortnight.

*Ordered*, That a committee be appointed to inspect the journals of the Senate, and to report to the House what has been done with the resolution sent to them giving instructions to the delegates for this State in General Congress to use their endeavours to procure a part of the continental fleet to be stationed on our coasts for the protection of the trade of this country; and that Mr. *Bland*, Mr. *Braxton*, Mr. *Fitzhugh*, Mr. *Tabb*, and Mr. *Jones*, be of the said committee.

On a motion made,

*Ordered*, That the Committee for Courts of Justice be discharged from reporting from the journals of the last session the several petitions and propositions then depending and undetermined, and that all such petitions and propositions be delivered of course by the clerk to the several proper committees to proceed therein.

Adjourned till to-morrow, 10 o'clock.

FRIDAY, October 18, 1776.

The House was called over, according to the order of the day, and Mr. *Charles Pattison*, Mr. *John Cabell*, Mr. *James Edmondson*, and Mr. *Thomas Johnson*, failing to appear, it is ordered that it be determined on this day se'nnight what farther proceedings shall be had against them for their default.

A petition of *Edward Hack Moseley*, junior, was presented to the House, and read; setting forth, that some time in the month of *October* last past a negro man slave named *Tawley*, belonging to the petitioner, was taken in a tender in Lord *Dunmore's* service; that the said slave was valued by the Committee of Safety to the sum of 85*l.* and sent with others to the *West Indies* in a vessel commanded by Captain *John Dixon*, which was seized by a *British* ship of war, and with the said slaves made prize of; and praying to be allowed the said sum of 85*l.* for the said slave.

Ordered, That the said petition be referred to the Committee of Public Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

A memorial of *Harrison Randolph*, *Miles Selden*, *Garland Carr*, *Addison Lewis*, and *Adam Craig*, was presented to the House, and read; setting forth, that in firm assurance the vacant clerkships of county courts would, according to ancient usage, continue to be given to the writers of the longest standing in the Secretary's office, they, after having entered into bond with security, in a large penalty, for their faithful conduct, became writers therein; that during their necessary attendance on duty, in the city of *Williamsburg*, they could not avoid, with the greatest economy, contracting debts to a considerable amount for their support and maintenance; that no emolument or perquisites accrued to them, nor did they entertain any other expectation of reward than that of succeeding to vacancies, according to their seniority; that the right of appointment to vacant clerkships being under the present government transferred from the secretary to the courts themselves, they have no prospect of reward, for several years labour, but through the interposition of this House; that they are more particularly anxious upon this subject, as their attendance at the office, and endeavours to qualify themselves as clerks, have taken up so much of their time as scarcely to leave an opportunity of applying to any other business; and praying that this House will afford them such relief as shall be thought reasonable.

Ordered, That the said memorial be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

An engrossed bill, *For altering and establishing the boundaries of the counties of Stafford and King George*, was read a third time.

Resolved, That the said bill do pass, and that Mr. *Carter* do carry the same to the Senate for their concurrence.

Ordered, That Mr. *Jefferson* and Mr. *Prentiss* have leave to be absent from the service of this House until *Monday*, and Mr. *Wilkinson* until *Thursday* next.

Ordered, That the third reading of the bill *For dividing the county of Fincastle into two distinct counties* be put off till *Thursday* next.

The House, according to the order of the day, resolved itself into a committee on the bill *To revive the late laws relating to the inspection of tobacco, with amendments*; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

Resolved, That this House will on *Tuesday* next again resolve itself into a committee on the said bill.

Mr. *Bullitt*, from the committee appointed, presented, according to order, a bill *Declaring slaves to be personal estate*; which was read the first time, and ordered to be read a second time.

The Speaker laid before the House a letter from the Governour, enclosing a state of the lead mines, and other papers; which were read, and ordered to be referred to the Committee upon the State of the Country.

The House, according to the order of the day, resolved itself into a committee on the bill *To enable tenants in taille to convey their lands in fee simple*; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read; and agreed to.

Ordered, That the said bill, with the amendments, be engrossed and read a third time.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the bill *For the naturalization of foreigners*, being read,

Ordered, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

SATURDAY, October 19, 1776.

The Speaker laid before the House a letter from the Governour, enclosing one from *Benjamin Harrison of Brandon*, Esquire, resigning the office of a Privy Counsellor; which being read,

Resolved, That this House will on *Wednesday* next proceed by ballot to the appointment of a member of the Privy Council in the room of the said *Benjamin Harrison*, Esquire.



*Ordered*, That Mr. *Starke* do acquaint the Senate therewith.

A petition of *John Gubriel Jones*, and *George Rodgers Clarke*, was presented to the House, and read; setting forth, the distressed and defenceless situation of the inhabitants of *Kentucky*, and praying that some forces may be sent to their relief and protection.

*Ordered*, That the said petition be referred to the Committee upon the State of the Country.

Mr. *Jefferson*, from the Committee of Privileges and Elections, reported, that the committee had, according to order, had under their consideration the petition of *John Tayloe Corbin*, and the resolution thereupon to them re-committed, and also the petition of *Charles Henley*, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That so much of the petition of *John Tayloe Corbin*, as prays to be released from his confinement, is reasonable, and that he be discharged, upon giving bond and sufficient security, in the sum of ten thousand pounds, not to give intelligence to, or in any manner, aid or assist the enemy.

*Resolved*, That so much of the petition of the said *Charles Henley* as prays he may be discharged from confinement, is reasonable.

*Ordered*, That the third reading of the bill *To enable tenants in taille to convey their lands in fee simple*, be put off until *Tuesday* next.

A bill *Declaring slaves to be personal estate*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will on *Wednesday* next resolve itself into a committee on the said bill.

The House, according to the order of the day, resolved itself into a committee upon the state of the country, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were again twice read, and agreed to

*Resolved*, That the six battalions of infantry to be raised for the Continental service should consist of ten companies each, and each company of sixty-eight men rank and file, with their proper officers.

*Resolved*, That each of the said battalions be commanded by a colonel, a lieutenant-colonel, major, ten captains, twenty lieutenants, ten ensigns, and forty sergeants.

*Resolved*, That the several field officers be appointed by the joint ballot of both Houses.

*Resolved*, That the captains and subaltern officers be appointed by the committees of the several counties and districts where the men are to be raised.

*Resolved*, That in those counties where committees are not elected, pursuant to the directions of the ordinance, provision ought to be made for the speedy election of such committees.

On a motion made,

*Ordered*, That the committee formerly appointed to prepare and bring in a bill *For raising the said six battalions of infantry*, do receive a clause, or clauses, pursuant to the first four of the said resolutions; and that Mr. Treasurer, Mr. *Jones*, Mr. *Starke*, Mr. *Smith*, Mr. *Braxton*, Mr. *Griffin*, Mr. *Henry*, and Mr. *Lee*, do prepare and bring in a bill pursuant to the last resolution, and that they receive a clause, or clauses, for dissolving and discontinuing the several committees of inspection and observation throughout this country, so soon as they shall have elected the captains and subaltern officers for the said six new battalions

*Ordered*, That the several claims of *Samuel Todd*, *John Lindsay*, and *Paul Micou*, together with the account of sales of the vessels, slaves, and appurtenances taken by Capt. *Taylor*, and directed to be sold by a resolution of the last Convention, be referred to the Committee of Publick Claims, and that they make a reasonable allowance to the commissioners for their trouble.

*Resolved*, That this House will on *Monday* next, again resolve itself into a committee to take into their farther consideration the state of the country.

The order of the day, for the House to resolve itself into a committee on the bill *For the naturalization of foreigners*, being read,

*Ordered*, That the same be put off till *Wednesday* next.

Adjourned till *Monday*, 10 o'clock.

MONDAY, October 21, 1776.

*Ordered*, That Mr. *Joseph Cabell*, Mr. *Coleman*, Mr. *Jones*, Mr. *Wilson*, Mr. *Wilson M. Cary*, Mr. *Fitzhugh*, Mr. *Ewell*, and Mr. *Scott*, be added to the Committee of Propositions and Grievances, and Mr. *John Cabell*, Mr. *Montague*, and Mr. *Booker*, to the Committee for Courts of Justice.

Mr. *Wills*, from the committee appointed, presented, according to order, a bill *For vesting certain lots and streets in the town of Patesfield in trustees, and for other purposes therein mentioned*; which was read the first time, and ordered to be read a second time.

A petition of *Robert Wooding* was presented to the House, and read; setting forth, that sundry inhabitants of *Halifax* county have presented a petition to this House, shewing the advantageous situation of the courthouse of the

said county, and praying that it may be continued at the place where it now stands, and referring for farther information to the petitioner, who is a representative of the orphan upon whose land the courthouse now stands; that he has been prevented, by a severe indisposition, from attending this House on the said business; that he has many reasons to urge in behalf of a much injured county, and much to say on behalf of an orphan who will be greatly prejudiced by a removal of the courthouse, should the same take place; and praying that the consideration of the said petition may be put off to some future day, when he may be able to attend.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of sundry inhabitants of the counties of *Amherst* and *Bedford*, praying that a ferry may be established across the *Fluvannah* river, on the land of *Henry Trent*, is reasonable.

*Resolved*, That the petition of *Joseph Mitchell*, offering to the publick a tract of land in *West Augusta*, abounding with rocks strongly impregnated with saltpetre, for a reasonable consideration, be rejected.

*Ordered*, That the Committee of Propositions and Grievances do prepare and bring in a bill pursuant to the first of the said resolutions.

*Ordered*, That Mr. *King* have leave to be absent from the service of this House until *Monday* next.

Mr. *Richard Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the petition of *Jacob Cunes* to them referred, and had come to a resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and ordered to be re-committed to the said committee.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the resolution to them referred, empowering the Governour, with the advice of the Council, to purchase salt on the publick account, and had made the following amendmerts thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same, together with the said resolution, were agreed to.

Line 3d, strike out from the word *publick* to the word *the* in the next line, and insert *so much of*.

Line 4th, after the word *country* insert *as they may judge necessary*.

Line 13th, strike out from the word *admit* to the word *and* in the 15th line.

*Ordered*, That the said resolution, with the amendments, be fairly transcribed, and that Mr. Treasurer do carry the same to the Senate for their concurrence.

*Ordered*, That the Commissioners of the Navy do lay before the House a state of the navy, together with an account of the expense incurred in fitting out and supporting the same to the present time, distinguishing in the said account the expense of each vessel, with their opinion what other vessels it may be necessary to fit out for the defence of the country, together with an estimate of the probable expense attending the same.

*Ordered*, That a committee be appointed to inquire into and report the state of the publick vineyard, under the direction of Mr. *Estave*; and that Mr. *Carter*, Mr. *Cocke*, Mr. *Starke*, Mr. *Wills*, and Mr. *Richard Cary*, be of the said committee.

*Ordered*, That a committee be appointed to inquire into and report the progress and expense of the several publick salt works erected in consequence of the ordinance of the last Convention; and that Mr. *Starke*, Mr. *Bland*, the members for *Northumberland*, *Lancaster*, *Middlesex*, *Gloucester*, *York*, *Elizabeth City*, *Acomack*, *Northampton*, *Nansemond*, Mr. *Fulgham* and Mr. *Smith*, be of the said committee.

*Resolved*, That this House will on *Wednesday* next proceed by ballot to the appointment of a Privy Counsellor in the room of *Fielding Lewis*, Esq. who hath declined the said appointment.

*Ordered*, That Mr. *Starke* do acquaint the Senate therewith.

A petition of sundry inhabitants of the county and parish of *Amherst*, setting forth, that they are aggrieved by the conduct of the vestry of the said parish, who have settled the tobacco payments of the parish contrary to the ordinance of convention, and praying that the said vestry may be dissolved, and a new one chosen.

*Ordered*, That the said petition be referred to the committee of Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

The order of the day, for the House to resolve itself into a committee upon the state of the country, being read,

*Ordered*, That the same be put off till to-morrow.

A petition of *Gabriel Maupin* was presented to the House, and read; setting forth, that he was appointed by the Committee of Safety to succeed Mr. *Finnie*, as keeper of military stores in the city of *Williamsburg*, a trust which he conceives to be important, and attended with more trouble and care than may be at first imagined, the business being so great and urgent as to require his attendance every day, *Sundays* not excepted; that whilst engaged in this service he is obliged to devote his whole attention to it, to the interruption of every other business; and praying to be allowed such satisfaction for his services as shall be judged just and reasonable.

*Ordered*, That the said petition be referred to Mr. *Prentis*, Mr. *Starke*, Mr. *Cocke*, and the members for *James City* and *York*; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

Adjourned till to-morrow, 10 o'clock.



TUESDAY, October 22, 1776.

A bill *For vesting certain lots and streets in the town of Patesfield in trustees, and for other purposes therein mentioned*, was read a second time, and ordered to be committed to Mr. *Wills*, Mr. *Fulgham*, and the members for *Surry, Southampton and Nansemond*.

Two petitions from the dissenters from the Church of *England* in the counties of *Albemarle, Amherst and Buckingham*, were presented to the House, and read; setting forth, that they have never been upon an equal footing with the good people of this country in respect to religious privileges, having been obliged by law to contribute to the support of the established church, while at the same time they were moved from a principle of conscience to support the church of which they were members; yet, in as much as this was the form of government established when they became dissenters from the church of *England*, they submitted to it, for the sake of good order, always willing to stand up with the foremost in the support of government, and in defence of the just rights and properties of the subject; that when it became necessary the form of government should be new-modelled, in consequence of having thrown off our dependence on the crown and parliament of *Great Britain*, they flattered themselves that form of government would secure equal right to the subject; that they cannot disguise their real concern to observe, that many are still violent for the establishment of the *Episcopal* church; and praying, that every religious denomination may be put upon an equal footing.

Also, a petition of the freeholders and other inhabitants of the parish of *North Farnham*, in the county of *Richmond*, setting forth, that they have been much aggrieved and oppressed by the vestry of the said parish, and praying a dissolution thereof.

Also, a petition of the *German* congregation in the county of *Culpeper*, setting forth, that they are oppressed by being obliged to pay parochial charges, as well as to support their own church; and praying, that they may be exempted from farther payment of parochial charges, other than to support their own church and poor, and that their ministers may have equal right and privileges with their brethren in *Pennsylvania*, or the established church ministers in *Virginia*, so far as may extend to the members of their church only.

Ordered, That the said several petitions be referred to the Committee of Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee upon the state of the country, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Resolved, That this country ought to accept of the proposal made by the General Congress for putting under their direction the forts at the mouths of *Wheeling* and the *Great Kanawah*, and the fort at *Pittsburg*.

Resolved, That the garrisons now in the said forts ought, according to the proposition of the General Congress, to be taken into continental pay, augmented to a complete battalion, and be considered as one of the six formerly voted to be raised.

Resolved, That instructions be given to our delegates in Congress to propose to Congress that the prisoners of war now in possession of this Commonwealth shall be delivered over to Congress, to be by them kept or disposed of as continental prisoners, at the continental expense.

Ordered, That the committee formerly appointed to bring in a bill *For raising six battalions of infantry on the continental establishment*, do receive a clause, or clauses, pursuant to the second of the said resolutions, and that Mr. Treasurer do carry the first and third of the said resolutions to the Senate for their concurrence.

On a motion made,

Resolved, That the Governour be desired to transmit to our delegates in General Congress an account of the expenses incurred in the support and maintenance of the several prisoners of war in this country, in order to obtain a satisfaction for the same of the commander of the *British* forces in *America*.

A petition of *Sarah Millyard* and *Jane Dixon*, was presented to the House, and read; setting forth, that they were late inhabitants of the town of *Norfolk*, and suffered greatly by the destruction thereof, having had all their household furniture destroyed, and the dwelling house of the petitioner *Jane Dixon* utterly consumed; that being of an advanced age, she is rendered utterly incapable of getting a livelihood; that the petitioner *Sarah Millyard* having been left by her husband, who has entered into the naval service of the country, with four small children, is also reduced to great distress; and praying the relief of this House.

Ordered, That the said petition be referred to the Committee of Public Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

Ordered, That Mr. *Bullitt* be added to the committee to whom the petition of *Gabriel Maupin* was referred, and Mr. *Prentiss* to the committee to inquire into and report the state of the public vineyard.

Resolved, That this House will to-morrow again resolve itself into a committee upon the state of the country.

The orders of the day, for the House to resolve itself into a committee on the bill *For the naturalization of foreigners*, and on the bill *To revive the late laws relating to the inspection of tobacco, with amendments*, being read,

Ordered, That the same be put off till to-morrow.

*Ordered*, That Mr. *Speed* be added to the Committee of Propositions and Grievances.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration a petition and memorial to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of sundry inhabitants of the county of *Fincastle*, praying a division of the said county, is reasonable.

*Resolved*, That the memorial of *Wilson Miles Cary*, Esq. praying to be allowed satisfaction for a boat and two negro slaves perforce seized by lord *Dunmore* out of his lordship's estate, is reasonable.

*Resolved*, That the said *Wilson Miles Cary* ought to receive an indemnity out of such effects of lord *Dunmore* as are within this Commonwealth, to the amount of 240*l.* in proportion with his other creditors.

On a motion made,

*Ordered*, That the Committee of Propositions and Grievances do prepare and bring in a bill pursuant to the first of the said resolutions, and that Mr. *Braxton* do carry the two last to the Senate for their concurrence.

Adjourned till to-morrow, 10 o'clock.

### WEDNESDAY, October 23, 1776.

Mr. *Jones*, from the Committee for Courts of Justice, reported, that the committee had, according to order, farther inquired what laws had expired since the last session, or will expire with the end of this session, or are near expiring, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the act of Assembly passed in the year 1769, intituled *An act to make provision for the support and maintenance of ideots, lunaticks, and other persons of unsound minds*, which will expire at the end of this present session of Assembly, ought to be farther continued.

*Resolved*, That the act of Assembly passed in the year 1760, intituled *An act for regulating the practice of attornies*, which was continued by one other act passed in the year 1766, and was farther continued by another act passed in the year 1769, which will expire at the end of this present session of Assembly, ought to be farther continued.

*Resolved*, That the act of Assembly passed in the year 1757, intituled *An act for the better regulating and disciplining the militia*, which was continued and amended by two other acts passed in the years 1762 and 1766, and was farther continued by an act passed in the year 1771, which expired the 20th day of *July*, 1773, ought not to be revived.

*Resolved*, That the act of Assembly passed in the year 1762, intituled *An act for the inspection of pork, beef, flour, tar, pitch, and turpentine*, which was amended by another act passed in the year 1772, and will expire at the end of this present session of Assembly, ought to be revived and amended.

*Resolved*, That the act of Assembly passed in the year 1757, intituled *An act for reducing the several acts of Assembly for making provision against invasions and insurrections into one act*, which was continued by three other acts passed in the years 1762, 1766, and 1769, and was farther continued by an act passed in the year 1772, and which expired the 8th day of *June*, 1775, ought to be revived and amended.

*Resolved*, That the act of Assembly passed in the year 1764, intituled *An act for increasing the reward for killing wolves within certain counties, to be paid by the respective counties wherein the services shall be performed*, which was continued by an act passed in the year 1766, except as to the counties of *Buckingham*, *Fauquier*, and *Loudoun*, and was continued and amended by one other act passed in the year 1769, and was farther continued and amended by another act passed in the year 1772, except as to the county of *Botetourt*, and which will expire at the end of this present session of Assembly, ought to be farther continued.

*Ordered*, That the Committee of Propositions and Grievances do prepare and bring in a bill pursuant to the first, fourth, fifth and sixth of the said resolutions, and that the Committee for Courts of Justice do prepare and bring in a bill pursuant to the second resolution.

A message from the Senate by Mr. *Cabell*.

MR. SPEAKER,

The Senate have agreed to the bill, intituled *An act for dividing the county of Pittsylvania into two distinct counties*; and he delivered the same in at the bar, and then withdrew.

A petition of *John Calvert* was presented to the House, and read; setting forth, that he was employed by the Committee of Safety to see to the building of the galley called the *Norfolk's Revenge*, and was by them appointed to the command of her; that he has at different times received of the Treasurer upwards of one thousand pounds for carrying on the said business, for the paying away of which he has received no fee or reward; that he was obliged to carry the money about him for enlisting men, and paying seamens wages, and when employed in this business, to wit, on the 14th instant, he was robbed of 3*8l.* part of the money aforesaid, and praying to be reimbursed the said loss.

*Ordered*, That the said petition be referred to the Committee of Publick Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.



A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate do concur with the House of Delegates in their resolution for electing two Privy Counsellors in the room of *Benjamin Harrison of Brandon*, and *Fielding Lewis*, Esquires, and will assist them by joint ballot, as the Constitution directs.

The House, according to the order of the day, proceeded by ballot to the appointment of two Privy Counsellors in the room of *Benjamin Harrison of Brandon*, and *Fielding Lewis*, Esquires, and the members having prepared tickets for the persons to be appointed, and put the same into the ballot box, Mr. *Jefferson*, Mr. *Ewell*, Mr. *Braxton*, and Mr. *Fitzhugh*, were appointed a committee to meet a committee to be appointed by the Senate, and jointly with them to examine the ballot boxes, and report to the House upon whom the majority fell.

Ordered, That Mr. *Jefferson* do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot boxes, and that the majority fell upon *Nathaniel Harrison of Brandon*, and *Meriwether Smith*, Esquires.

Resolved, therefore, That the said *Nathaniel Harrison*, and *Meriwether Smith*, be appointed members of the Privy Council of this Commonwealth.

An engrossed bill, *To enable tenants in taille to convey their lands in fee simple*, was read a third time.

Resolved, That the said bill do pass, and that the title be *A bill declaring tenants of lands or slaves in taille to hold the same in fee simple*.

Ordered, That Mr. *Jefferson* do carry the same to the Senate for their concurrence.

The Speaker laid before the House a letter from the Governour, enclosing one from Col. *Christian* relating to the *Indian* expedition, together with several other papers; which were read, and ordered to lie on the table.

Ordered, That Mr. *Curl* have leave to be absent from the service of this House until *Monday* next.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *For the naturalization of foreigners*, *To revive the late laws relating to the inspection of tobacco, with amendments*, and on the bill *Declaring slaves to be personal estate*, being read,

Ordered, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

THURSDAY, October 24, 1776.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had agreed to the following report and resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Resolved, That the petition of *John Cox*, to be allowed for a horse impressed by *Archibald Gordon*, sheriff of *Pittsylvania* county, and *John Lightfoot*, for the use of the guards who attended them in apprehending *Benjamin Cook* and others, criminals from the said county, charged with counterfeiting the paper currency of *Virginia*, and died in consequence of the severe usage which he suffered in that service, is reasonable, and that the petitioner be allowed the sum of 6*l.* for the said horse.

Resolved, That the petition of *John George Woolfolk*, who served in Capt. *Woodford's* company of volunteers in the defence of this country, and was taken sick in that service, praying to be re-paid the expense he was at a doctor for attendance and medicine, is reasonable, and that the petitioner be allowed the sum of 2*l.* 18*s.* 6*d.* to reimburse him that expense.

Resolved, That the petition of *John Craig*, to be allowed for a horse said to have died by means of severe usage in the country's service, be rejected.

Resolved, That the petition of *Samuel Pritchard*, praying to be paid out of the sales of such of the effects of Lord *Dunmore* as are within this Commonwealth the balance due to the said petitioner from the said *Dunmore*, for two tracts of land sold him, for the consideration of one hundred pounds, which became due the 3d of *August*, 1774, is reasonable, and that the petitioner receive out of such sales the said balance, being 61*l.* 2*s.* 3*d.* in proportion with the other creditors of the said *Dunmore*.

Resolved, That the petition of *Edward Hack Moseley*, jun. praying to be allowed for *Tawley*, his negro man slave who was taken in a tender at *Hampton* in Lord *Dunmore's* service, and by order of the Committee of Safety transported to the *West Indies*, and valued by the said committee to the sum of 85*l.*, is reasonable, and that the petitioner be allowed the balance of the said 85*l.* which is 74*l.* 12*s.* 6*d.* after deducting the expense for transporting the said slave, which amounts to 10*l.* 7*s.* 6*d.*

On consideration of the petition of *Samuel Wilson* and *John Hodges*, inspectors at *Warwicksqueake Bay* warehouse, in the county of *Iste of Wight*, praying to be reimbursed for four hogsheds of tobacco, weighing 3809 neat, which were stolen out of the said warehouse, two of which said hogsheds were taken in the night of the 19th of *March*, 1765, and the others on the 13th of *July* following, it appears to your committee, from the deposition of

*Henry Harrison*, that on or about the 19th of *March*, 1775, the deponent, being at the said warehouse, observed that it had been broke open, and going down the hill, he saw a hogshead of tobacco lying about the middle of the descent; that *Mr. John Hodges*, one of the said inspectors, about eight or nine o'clock in the morning of the same day, took a boat and went in search of persons who had carried off some tobacco from thence, as he understood.

It farther appears to your committee, from the deposition of *Thomas Blaud*, that on or about the 19th of *March*, 1775, *Warwicksqueake Bay* warehouse was broke open; that he saw some people belonging to a brig, then lying opposite to the said warehouse, carrying tobacco from the shore to the brig; that when they got on board the boat was let loose, and the deponent took her up, and found therein many bundles of tobacco; that he also saw a tobacco hogshead floating in the river, which he supposed had been thrown out of the said brig; that about two hours after, *Mr. John Hodges*, together with the deponent, went below *Hampton* in pursuit of the said brig, which sailed early that morning, but could not overtake her.

It farther appears to your committee, from the deposition of *Nelson Davis*, that on the 13th of *July*, 1775, the deponent saw at the landing near *Warwicksqueake Bay* warehouse several bundles of tobacco scattered about, to the amount, as he supposed, of sixty pounds weight, or thereabouts; that in crossing the river he saw an empty tobacco hogshead floating, many of the staves of which had been cut asunder, and had evident signs of having been rolled, which induced him to believe that the same had been stolen out of the said warehouse.

It farther appears to your committee, from a certificate of *Thomas Pierce* and *Arthur Smith*, that, in pursuance of an order of the court of *Isle of Wight* county, they met some time in *July*, 1775, and examined the state and condition of *Warwicksqueake Bay* warehouse, and found them in as good order, and as well secured with locks, bars, &c. as is common for houses of that nature.

*Resolved*, That the said petition is reasonable, and that the petitioners be allowed for the said tobacco at the rate of 22s. 6d. per hundred weight, which amounts to the sum of 42l. 1s.

*Ordered*, That *Mr. Lee* do carry the said several resolutions to the Senate for their concurrence.

A message from the Senate by *Mr. Randolph*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for altering and establishing the boundaries of the counties of Stafford and King George*; and he delivered the same in at the bar, and then withdrew.

*Mr. Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, prepared bills *For establishing a ferry over the Fluvannah river, from the land of Henry Trent, in the county of Amherst, to the land of Nicholas Davies, in the county of Bedford*.—*To revive and amend an act intituled An act for the better regulating and collecting certain officers' fees, and for other purposes therein mentioned*.—*To revive and amend an act intituled An act for the more effectual keeping the publick roads and bridges in repair*.—*To revive and amend an act intituled An act to prevent the exorbitant exactions of the collectors of the county and parish levies*; and he delivered them in at the clerk's table, where they were severally read the first time, and ordered to be read a second time.

A memorial of the Presbytery of *Hanover* was presented to the House, and read; setting forth, that they are governed by the same sentiments which have inspired the United States of *America*, and are determined that nothing in their power and influence shall be wanting to give success to the common cause; that dissenters from the church of *England* in this country have ever been desirous to conduct themselves as peaceable members of the civil government, for which reason they have hitherto submitted to several ecclesiastick burthens and restrictions, that are inconsistent with equal liberty, but that now, when the many and grievous oppressions of our mother country have laid this continent under the necessity of casting off the yoke of tyranny, and of forming independent governments, upon equitable and liberal foundations, they flatter themselves they shall be freed from all the encumbrances which a spirit of domination, prejudice, or bigotry, hath interwoven with most other political systems; that they are more strongly encouraged to expect this, by the declaration of rights, so universally applauded, for the dignity, firmness, and precision, with which it delineates and asserts the privileges of society and the prerogatives of human nature, and which they embrace as the *Magna Charta* of the Commonwealth, which can never be violated without endangering the grand superstructure it was destined to support: Therefore they rely upon this declaration, as well as the justice of the Legislature, to secure to them the free exercise of religion, according to the dictates of their consciences; and that they should fall short in their duty to themselves, and to the many and numerous congregations under their care, were they upon this occasion to neglect laying before the House a state of the religious grievances under which they have hitherto laboured, that they no longer may be continued in the present form of government; that it is well known that in the frontier counties, which are justly supposed to contain a fifth part of the inhabitants of *Virginia*, the dissenters have borne the heavy burthens of purchasing glebes and supporting the established clergy, where there are very few *Episcopalians* either to assist in bearing the expense or to reap the advantage; and that throughout the other parts of the country there are also many thousands of zealous friends and defenders of the State, who, besides the invidious and disadvantageous restrictions to which they have been subjected annually, pay large taxes to support an establishment from which their consciences and principles oblige them to dissent, all which are so many violations of their natural rights, and in their consequences a restraint upon freedom of inquiry and private judgment. In this enlightened age, and in a land where all are united in the most strenuous efforts to be free, they hope and expect that their representatives will cheerfully concur in removing every species of religious as well as civil bondage. That every argument for civil liberty gains additional strength when applied to liberty in the concerns of religion, and that there is no argument



in favour of establishing the Christian religion but what may be pleaded for establishing the tenets of *Mahomet* by those who believe the *Alcoran*; or, if this be not true, it is at least impossible for the magistrate to adjudge the right of preference, among the various sects which profess the Christian faith, without erecting a chair of infallibility, which would lead us back to the Church of *Rome*. That they beg leave farther to represent, that religious establishments are highly injurious to the temporal interests of any community, without insisting upon the ambition and the arbitrary practices of those who are favoured by government, or the intriguing seditious spirit which is commonly excited by this, as well as every other kind of oppression, such establishments greatly retard population, and consequently the progress of arts, sciences, and manufactures; witness the rapid growth and improvements of the northern provinces, compared with this. That no one can deny the more early settlement, and the many superiour advantages of our country, would have invited multitudes of artificers, mechanicks, and other useful members of society, to fix their habitation among us, who have either remained in the place of their nativity, or preferred worse civil government, and a more barren soil, where they might enjoy the rights of conscience more fully than they had a prospect of doing in this; from which they infer, that *Virginia* might now have been the capital of *America*, and a match for the *British* arms, without depending upon others for the necessities of war, had it not been prevented by her religious establishment. Neither can it be made appear that the Gospel needs any such civil aid; they rather conceive, that when our blessed Saviour declares his Kingdom is not of this world, he renounces all dependence upon State power, and as his weapons are spiritual, and were only designed to have influence upon the judgment and heart of man, they are persuaded that if mankind were left in the quiet possession of their unalienable religious privileges, Christianity, as in the days of the apostles, would continue to prevail and flourish in the greatest purity by its own native excellence, and under the all-disposing providence of God. That they would also humbly represent, that the only proper objects of civil government are the happiness and protection of men in the present state of existence, the security of the life, liberty, and property of the citizens, and to restrain the vicious and encourage the virtuous by wholesome laws, equally extending to every individual; but that the duty they owe their Creator, and the manner of discharging it, can only be directed by reason and conviction, and is no where cognizable but at the tribunal of the universal judge, and that therefore they ask no ecclesiastical establishments for themselves, neither can they approve of them when granted to others, and earnestly entreating that all laws now in force in this Commonwealth which countenance religious dominations may be speedily repealed; that all and every religious sect may be protected in the full exercise of their several modes of worship, and exempted from the payment of all taxes for the support of any church whatever, farther than what may be agreeable to their own private choice, or voluntary obligation.

*Ordered*, That the said memorial be referred to the Committee of Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Jones, Mr. Fleming, Mr. Simms, Mr. Henry, and Mr. Read, be added to the committee appointed to prepare and bring in a bill *For raising six regiments of infantry on the continental establishment*.

A petition of *Lewis Burwell* the younger, was presented to the House, and read; setting forth, that his ferry-house in the county of *James City* was some time since taken and applied by the commanding officer of the *Virginia* troops for the purpose of a guard house; that although he would not have refused his assent, yet the said house was appropriated to the purpose aforesaid without any application to him, at a time when its annual rent amounted to sixty-five pounds; that by the negligence of the soldiers who were stationed there, the said ferry-house was burnt to the ground, and sundry out-houses, and the garden, totally destroyed, whereby he is disabled from maintaining a ferry which had hitherto been valuable, and has lost houses which cannot be re-built without a heavy expense; and praying to be allowed a reasonable satisfaction for the damage he has sustained.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of *John Goodrich*, jun. was presented to the House, and read; setting forth, that there is a considerable balance still due to *John Goodrich* and company, for goods sold and delivered to the country in the year 1775, for which goods the company are indebted, and the petitioner, as a partner and chief agent, is answerable, and at present utterly unable to discharge, for want of the balance due to him from the country. That the objection formerly made to the payment of this balance being removed, he prays the House will be pleased to direct an inquiry into the account of the goods furnished by *John Goodrich* and company, and the balance to be discharged.

That he begs leave also to remind the House of a resolution passed last *December*, by which he was deemed inimical to the rights and liberties of his country, disqualified from trading, and held up as a person unworthy the common rights of humanity, by which he is deprived of the liberty of following his occupation, and providing for a distressed wife and children, and of yielding any assistance to his aged and wretched parents, whose present misfortunes originated from an earnest desire to serve and assist the country in the article of gunpowder. That, with a heart deeply affected with his own and his parents' sufferings, he most unfeignedly supplicates this House to extend its mercy to him, remove the restriction he is under, and permit him to become an useful and active member of society, and endeavour to provide for his distressed family and parents.

*Ordered*, That the said petition be referred to the Committee of Privileges and Elections; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding upon the petition of sundry inhabitants of the county of *Fincastle*, and that the same be referred to the Committee upon the State of the Country.

*Ordered*, That the engrossed and enrolled bills be written in a fair round hand.

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding on the petition of *Harrison Randolph, Miles Selden, Garland Carr, Addison Lewis, and Adam Craig*; and that the petitioners have leave to withdraw the same.

The House, according to the order of the day, resolved itself into a committee on the bill *To revive the late laws relating to the inspection of tobacco, with amendments*; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.

The several orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate, and For the naturalization of foreigners*, for the third reading of the bill *For dividing the county of Fincastle into two distinct counties*, and for the House to resolve itself into a committee on the state of the country, being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Mr. *Brazton* have leave to be absent from the service of this House until *Wednesday* next.

A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate have agreed to the bill *For the revision of the laws, with amendments*, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

Mr. *Wills*, from the committee to whom the bill *For vesting certain lots and streets in the town of Patesfield in trustees, and for other purposes therein mentioned*, was committed, reported, that the committee had examined the allegations of the bill, and found them to be true, and had directed him to report the same, without any amendment; and he delivered the bill in at the clerk's table.

*Ordered*, That the said bill be engrossed, and read a third time.

A representation from the committee of *West Augusta* was presented to the House, and read; setting forth, that sundry persons in office in *West Augusta* had set on foot a scheme for having the country beyond the *Allegheny* mountains laid off in a new government, and had drawn up a memorial for that purpose, to be approved by the people, and presented to the General Congress, and another scheme to colonize themselves by their own authority, which the memorialists conceive will prove injurious to this country, and to have proceeded from the want of regular government and the administration of justice in the said extensive district, and praying the same may be laid off into four distinct counties.

*Ordered*, That the said memorial be referred to the Committee on the State of the Country.

Adjourned till to-morrow, 10 o'clock.

## FRIDAY, October 25, 1776.

The Speaker laid before the House a letter from the President of the General Congress, enclosing several resolutions respecting a loan office to be established in this State, and a resolution relating to the troops to be raised on the continental establishment; which being read,

*Ordered*, That the said letter, and the resolutions respecting the loan office, be referred to the Committee upon the State of the Country, and that the resolution relating to the troops to be raised, be referred to the committee appointed to prepare and bring in a bill *For raising six battalions of infantry on the continental establishment*.

Mr. *Lee*, from the Committee of Public Claims, reported, that the committee had, according to order, had under their consideration the petition of *Thomas Ritson*, to them referred, praying to be allowed for a cargo of salt imported by him and destroyed by the enemy, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the said petition be rejected.

A message from the Senate by Mr. *Elzey*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House, empowering the Governour and Council to purchase salt on account of the publick; and he delivered the same in at the bar, and then withdrew.

Two petitions of the dissenters from the church of *England* were presented to the House, and read; setting forth, that they are exposed to great hardships in being obliged to contribute to the support of the established church, contrary to the dictates of their conscience, and praying that the ecclesiastical establishment may be suspended or laid aside.

*Ordered*, That the said several petitions be referred to the Committee of Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the several petitions and propositions depending and undetermined before the Assembly in the month of *May*, 1775, be delivered by the clerk to the several committees before whom the same were depending.



Mr. *Jefferson*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petition of *Griffin Garland* and *Charles Barber*. to them referred, and had agreed upon the following report and resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Your committee find, that on a suggestion by the petitioner, *Charles Barber*, that there were certain vacant lands adjoining the lands of *Charles Carter*, Esq. in the county of *Richmond*, a warrant issued on the 9th of *November*, 1775, from the proprietary land office, directed to the other petitioner, *Griffin Garland*, and empowered him to survey the said lands; that on the 14th of *January*, 1776, the said *Griffin Garland* advertised, that he should proceed on the said survey on the 24th of the said month; that on the 23d day of the said month, a warrant was issued by *Landon Carter*, Esq. one of the justices of the peace for the said county, directed to the sheriff thereof, reciting, that complaint had been made to him by the said *Charles Carter*, Esq. that the said petitioners intended on the next day to enter on the lands of the said *Charles Carter*, to survey the same without his consent, and commanding the said sheriff to go on the lands of the said *Charles Carter*, and to apprehend and bring before him the said petitioners, or any others who should be found thereon and refuse to depart; that on the said 24th day of *January*, the sheriff, by virtue of the said warrant, arrested the said petitioners, and carried them before the said *Landon Carter*, Esq. who, on their refusing to give security for keeping the peace and appearance at the next court, committed them to the custody of the jailor of the said county; that the petitioners have attended several courts since, but there being few qualified magistrates, and several of those connected with the said *Landon Carter*, Esq. and therefore declining to sit on the said complaint, the petitioners have never yet been able to procure a hearing, and still remain in custody of the jailor.

*Resolved*, That the matter of the said petition is cognizable before and remediable in the courts of common law, and that the petitioners should be left to take their remedy, according to the regular course of law.

On a motion made,

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill *For raising six troops of infantry on the continental establishment*; that they receive a clause, or clauses, for regimenting and engaging in the continental service, so many of the marine officers and privates in the service of this commonwealth as are willing, and making the same part of one of the said six battalions.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the petition of *John Calvert*, to them referred, praying to be allowed the sum of 38*l*. which was stolen out of his pocket, being part of the money received by him at sundry times for the purpose of purchasing materials for the galley called the *Norfolk's Revenge*, enlisting seamen, and paying their wages, and that they had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the said petition be rejected.

*Ordered*, That leave be given to bring in a bill *For dissolving the several vestries in this country*; and that Mr. *Starke* and Mr. *Henry*, do prepare and bring in the same.

A bill *For establishing a ferry over the Fluvannah river, from the land of Henry Trent, in the county of Amherst, to the land of Nicholas Davies, in the county of Bedford*; also, a bill *To revive and amend An act for the more effectual keeping of the publick roads and bridges in repair*; also, a bill *To revive and amend an act intituled An act to prevent the exorbitant exactions of the collectors of the county and parish levies*; also, a bill *To revive and amend an act intituled An act for the better regulating and collecting certain officers' fees, and for other purposes therein mentioned*; were severally read a second time, and ordered to be committed to the Committee of Propositions and Grievances.

*Ordered*, That leave be given to bring in a bill *To establish the places of holding courts in the counties of Pittsylvania and Henry*; and that Mr. *Jefferson*, Mr. *Williams*, Mr. *Bullitt* and Mr. *Terry*, do prepare and bring in the same.

An engrossed bill *To vest certain lots and streets in the town of Patesfield, and for other purposes therein mentioned*, was read a third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that Mr. *Wills* do carry the same to the Senate for their concurrence.

The House, according to the order of the day, resolved itself into a committee upon the state of the country, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Jefferson* reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the Governour and Council be desired to take such measures for the preservation or disposition of the horses and provisions mentioned in the letters of Mr. *Thomas Madison*, as from present circumstances or future events shall appear to be most proper and conducive to the interest of the country.

*Resolved*, That it be recommended to the Governour and Council that they give instructions to the commanding officer of the army destined against the *Cherokees*, to take such steps at the end of the campaign for the future safety and protection of the south-western frontier of this State, as shall appear to them to be necessary and proper.

*Ordered*, That Mr. Treasurer do carry the said resolutions to the Senate for their concurrence.

On a motion made,

*Resolved*, That this House will to-morrow again resolve itself into a committee upon the state of the country.

*Ordered*, That Mr. *Wilson Miles Cary* have leave to be absent from the service of this House until Monday next.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate,—For the naturalization of foreigners,—For reviving the late laws relating to the inspection of tobacco, with amendments,—*and for the House to proceed against the several members who failed to appear when the House was called over on the 18th instant, being read,

*Ordered*, That the same be put off till to-morrow.

The House proceeded to take under their consideration the amendments made by the Senate to the bill intituled *An act for the revision of the laws*; and the said amendments were read, and are as follows:

Line 11th, between the words *of* and *persons* leave out the word *three*, and insert *five*.

12th, between the words *houses* and *who*, insert *three of whom to be a quorum*.

15th, between the words *die* and *or*, insert *refuse to act*.

16th, leave out from the word *members* to the word *to* in the 17th line.

22d, at the end of the clause add these words, and also to send to any of the United American States for the system of laws in force there, if thought necessary.

The first, second, third, and fourth amendments, being severally read a second time, and the question put thereon, were agreed to by the House.

The fifth amendment being also read a second time, was, on the question put, disagreed to by the House.

*Ordered*, That a message be sent to the Senate to inform them that this House have agreed to the first four of the amendments proposed by them, to the bill intituled *An act for the revision of the laws*, and have disagreed to the fifth amendment, and to desire they will pass the bill with the amendments agreed to; and that Mr. *Jefferson* do carry the said message.

The order of the day, for the third reading of the bill *For dividing the county of Fincastle into two distinct counties*, was read and discharged, and the said bill directed to be read in the usual course of proceedings.

Adjourned till to-morrow, 10 o'clock.

## SATURDAY, October 26, 1776.

Mr. *Jefferson*, from the Committee of Propositions and Grievances, presented, according to order, a bill *For dividing the county of Fincastle into two distinct counties*, also a bill *For further continuing the act intituled An act to make provision for the support and maintenance of idiots, lunatics, and other persons of unsound minds*, also a bill *To revive and amend an act intituled An act for the inspection of pork, beef, flour, tar, pitch, and turpentine*; which were severally read the first time, and ordered to be read a second time.

Mr. *Jefferson*, from the committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of *David Brandon* is reasonable, and that a ferry ought to be established from the land of the said *David Brandon*, on the south side of *Dan* river, in *Halifax* county, over the said river, to the land of *John Lawson*, on the opposite side.

*Resolved*, That the petition of sundry inhabitants of *Halifax* county is reasonable, and that a ferry ought to be established over the river *Dan*, from the land of *John Boyd*, on the south side of the said river, in the said county of *Halifax*, to the land of *Patrick Boyd*, on the opposite side.

*Ordered*, That the Committee of Propositions and Grievances, to whom the bill *For establishing a ferry over the Fluvannah river, from the land of Henry Trent, in the county of Amherst, to the land of Nicholas Davies, in the county of Bedford*, is committed, do receive a clause, or clauses, pursuant to the said resolutions.

*Ordered*, That Mr. *Starke*, Mr. *Judkins*, and Mr. *Thoroughgood*, have leave to be absent from the service of this House until Monday se'night, and Mr. *Riddick* until Thursday next.

A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate do not insist on the last amendment made by them to the bill intituled *An act for the revision of the laws*, to which the House have disagreed, and have passed the same with the amendments agreed to; and then he withdrew.

Mr. *Prentiss*, from the committee to whom the petition of *Gabriel Maupin* was referred, reported, that the committee had, according to order, had the same under their consideration, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.



*Resolved*, That the said *Gabriel Maupin* be allowed the sum of 50*l.* for receiving into and delivering out of the magazine the military stores belonging to this State, and for his care of the same from the 30th of *October*, 1775, to the 30th of *October*, 1776.

*Ordered*, That Mr. *Prentis* do carry the said resolution to the Senate for their concurrence.

Mr. *Jones*, from the Committee for Courts of Justice, presented, according to order, a bill *For farther continuing the act intituled An act for regulating the practice of attornies*; which was read the first time, and ordered to be read a second time.

Mr. *Starke*, from the Committee of Religion, reported, that the committee had, according to order, had under their consideration the petition of the vestry of the parish of *Botetourt*, presented to the last Assembly, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the said petition is reasonable, and that a bill ought to be brought in to enable the said vestry to execute their agreements in the said petition mentioned.

*Ordered*, That the Committee for Religion do prepare and bring in a bill pursuant to the said resolution.

*Ordered*, That leave be given to bring in a bill *To increase the reward for apprehending horse-stealers, and for other purposes therein mentioned*; and that Mr. *Bullitt*, Mr. *Terry*, and Mr. *Ewell*, do prepare and bring in the same.

*Ordered*, That leave be given to bring in a bill *To amend the act intituled An act for better securing the payment of levies and restraint of vagrants, and for making provision for the poor*; and that Mr. *Bullitt*, Mr. *Terry*, and Mr. *Ewell*, do prepare and bring in the same.

*Ordered*, That a Committee of Trade be appointed, of the following persons: Mr. *Gray*, Mr. *Acrill*, Mr. *Syme*, Mr. *Tabb*; Mr. *Banister*, Mr. *Braxton*, Mr. *Lyne*, Mr. *King*, Mr. *Curle*, Mr. *Nathaniel L. Savage*, Mr. *Richard S. Taylor*, Mr. *Thorntou*, Mr. *Anderson*, Mr. *Penn*, Mr. *Davenport*, Mr. *Gordon*, Mr. *Muse*, Mr. *Faulcon*, Mr. *Pickett*, Mr. *Lockhart*, Mr. *Henry*, and Mr. *Adams*.

*Ordered*, That Mr. *John Beckley* be appointed clerk to the said committee.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, on the bills *Declaring slaves to be personal estate*,—*For the naturalization of foreigners*,—*For reviving the late laws relating to the inspection of tobacco, with amendments*,—and for the House to proceed against the several members who failed to appear when the House was called over on the 18th instant, being read,

*Ordered*, That the same be put off until *Monday* next.

A memorial of *John Blair* and *Edmund Randolph*, Esquires, was presented to the House, and read; setting forth, that in obedience to an order of the last Convention, they proceeded to rent out the lands and to sell at publick auction the slaves and personal estate of lord *Dunmore*, at and in the neighbourhood of the city of *Williamsburg*; that they were unable, for the want of time, to take an inventory of the same, as the Convention was daily expected to rise, and the sale be deprived of many purchasers; that they caused it to be proclaimed in publick, that the things purchased should remain in the palace till the end of the sale, as well that they might be enabled to receive all sums under five pounds, for which no credit was to be allowed, as to get bonds for those above five pounds, for which six months credit was allowed; that this injunction being in some instances relaxed, where persons were obliged to leave town, was in other instances disregarded, whereby they failed to get the bonds and receive the money that ought to have been paid; that they have rented *Porto Bello* to doctor *James Carter* for twenty pounds till *Christmas* 1777; that they rented the *Farm* to *Samuel Tinson* for seven pounds till *Christmas* 1777, but took no bonds because distress might be had; that the sales in the city of *Williamsburg* amounted to two thousand six hundred and seven pounds sixteen shillings and one penny farthing; that credit was allowed for two thousand four hundred and ninety-six pounds thirteen shillings and one penny three farthings; that they have taken security for seventeen hundred and eleven pounds five shillings, and also received one hundred and sixty-five pounds thirteen shillings and seven pence, including a discount of five per centum for prompt payment, which was allowed in some cases; that the sums for which no credit was allowed, amounted to one hundred and nine pounds nine shillings, for seventy-five pounds eleven shillings and three pence of which they have received payment; that some of lord *Dunmore's* estate in the city of *Williamsburg* remains undisposed of, but for farther information relative thereto they refer to the books and papers returned by them to the House.

*Ordered*, That the said memorial, together with the said several books and papers, be referred to the Committee of Publick Claims; that they examine and report the same, with their opinion thereupon, to the House.

*Resolved*, That this House will on *Tuesday* se'nnight proceed by ballot to the appointment of persons to revise the laws, and that Mr. *Starke* do acquaint the Senate therewith.

A petition of *Alexander Hanewinkel* was presented to the House, and read; setting forth, that being regularly bred to the business of making heckles, wool combs, tow, wool and cotton cards, wire-making, &c. and being well acquainted with the dressing flax and hemp, he has attempted to prosecute these branches, but by reason of his want of stock, and the excessive high wages of workmen in erecting the machioery and making the utensils, will be obliged to lay aside his design, or at least to carry it on in so small a way as to be but little useful to the publick in general; that he has, in conjunction with *John Atkinson*, of the town of *Fredericksburg*, erected a hemp mill and hecklery, which will undoubtedly reduce the exorbitant price of linen in this country, but that the work will employ a number of spinners, weavers, and rope-makers, and be attended with a considerable expense; and praying that the publick

will grant him such assistance as will enable him to carry into execution his designs aforesaid, being ready and willing to give indisputable security for any money that may be advanced him.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Adjourned till *Monday*, 10 o'clock.

### MONDAY, October 28, 1776.

*Ordered*, That leave be given to bring in a bill *Declaring what shall be treason*; and that Mr. Bullitt, Mr. Griffin, Mr. Lee, Mr. Curle, Mr. Henry, and Mr. Jefferson, do prepare and bring in the same.

*Ordered*, That the resolutions of the General Congress on the subject of treason, be referred to the said committee.

*Ordered*, That Mr. Edmondson be excused for not appearing at the call of the House on the 18th instant.

*Ordered*, That the Speaker be desired to issue a warrant for the election of a delegate for the county of *Prince George*, in the room of *Richard Bland*, Esq. deceased.

A petition of *John Crawley* was presented to the House, and read; setting forth, that early in the last summer several soldiers were stationed at his house in the county of *Northumberland*; that they took possession of his dwelling-house and out-houses, by which his family were subjected to great inconveniences, and that from the 7th of *June*, to the 8th of *August*, himself and family were obliged to shift for shelter, and the business of the family was totally stopped; and that besides great damage was done to his houses and household furniture, and praying such reparation as to the House shall seem reasonable.

Also a petition of sundry freeholders of the county of *Orange*, setting forth, that the fees of the secretary, county court clerks, and surveyors, were exorbitant and oppressive, and praying the same may be reduced.

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Alexander Lithgow* was presented to the House, and read; setting forth, that at the request of the commanding officer of the militia of *Prince William*, while they were intrenching at the mouth of *Quantico* creek against the enemy's fleet, in the month of *July* last, he furnished them with liquors and biscuit to the amount of 28*l*. 15*s*. for which he expected to be paid by the publick, but upon application to the Governour, he was let to know the sanction of this House was necessary before a warrant could be given on the treasury for the same, and praying to be allowed the said sum of 28*l*. 15*s*.

*Ordered*, That the said petition be referred to the Committee of Publick Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of the people commonly called Methodists, was presented to the House, and read; setting forth, that the dissenters are preparing to lay a petition before this House for abolishing the present establishment of the church, and as they may, in the opinion of some, also come under the denomination of dissenters, they beg leave to declare they are a religious society in communion with the church of *England*, and do all in their power to strengthen and support the said church; and as they conceive very bad consequences will arise from the abolishing the establishment, they therefore pray that the church of *England*, as it ever hath been, may still continue to be, the established church.

*Ordered*, That the said petition be referred to the Committee of Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill *To empower the late sheriff of Prince George to take the election of delegates for the said county*; and that Mr. Jones and Mr. Starke do prepare and bring in the same.

*Ordered*, That Mr. Brent and Mr. Wilson be added to the Committee of Trade, Mr. Garland to the Committees of Propositions and Grievances and for Religion, Mr. Joseph Cabell to the Committee of Publick Claims, and Mr. Gordon and Mr. Meriwether to the Committee for Religion.

*Ordered*, That leave be given to bring in a bill *For regulating the laws of succession, and subjecting lands to the payment of debts*; and that Mr. Griffin, Mr. Bullitt, Mr. Jefferson, Mr. Henry, Mr. Curle, Mr. Jones, Mr. Treasurer, and Mr. Fleming, do prepare and bring in the same.

Mr. Jones, from the committee appointed, presented, according to order, a bill *To empower the late sheriff of Prince George to take the election of delegates for the said county*; which was read the first time, and ordered to be read a second time.

*Resolved*, That in all future elections to be made by joint ballot of both Houses, it be a standing rule that no ballot be counted, unless the person named therein shall have been previously and openly proposed in the one or the other House, and that before the Houses proceed to ballot, they acquaint each other, by message, with the names of the persons proposed in their respective Houses; and that Mr. Jefferson do carry the same to the Senate for their concurrence.

A bill *To empower the late sheriff of Prince George to take the election of delegates for the said county*, was read a second time, and ordered to be engrossed and read a third time.

A claim of *Joseph Selden*, for liquors furnished the labourers in the salt works in *Elizabeth City* county, was presented to the House, read, and ordered to be referred to the Committee of Publick Claims.



*Resolved*, That the Commissioners of the Navy be desired immediately to lay before this House a state of the armed vessels belonging to this Commonwealth.

An engrossed bill, *To empower the late sheriff of Prince George to take the election of delegates for the said county*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Jones do carry the same to the Senate for their concurrence.

A petition of *James Suggett* was presented to the House, and read; setting forth, that his waggon and team were impressed for the use of the publick, and that one of the horses, appraised to 20*l* died of the hard usage he received in the said service, and praying to be allowed for him the sum at which he was appraised.

*Ordered*, That the said petition be referred to the Committee of Publick Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. *Jefferson*, from the committee appointed, presented, according to order, a bill *For raising six additional battalions of infantry upon the continental establishment*; which was read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee upon the state of the country, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That a copy of the memorial from the committee of *West Augusta* ought to be transmitted to the delegates of this State in the General Congress, with instructions to them to protest against the dismembering this State of that or any other part of its ancient territory, or forming any new government within its limits, should any application be made to Congress for that purpose.

*Resolved*, That should any persons within the said district, or elsewhere in this State, attempt to form themselves into a distinct or independent government, without the consent of the Legislature, proper measures ought to be taken to prevent such attempts.

*Resolved*, That for rendering the benefits of government, and administration of justice, more easy and convenient to the people within the said district, the limits of the same ought to be ascertained, and the said district laid off into and established as three distinct counties.

*Resolved*, That the said memorial be sent to the Senate, for them to proceed to the consideration of so much thereof as relates to their member, Mr. *David Rogers*.

*Ordered*, That Mr. Treasurer do carry the first and second of the said resolutions to the Senate for their concurrence, together with the said memorial; and that Mr. Treasurer, Mr. *Jefferson*, Mr. *Simms*, the members for *Augusta*, *Botetourt*, *Fincastle*, *Hampshire*, *Frederick*, and *Dunmore*, do prepare and bring in a bill pursuant to the third resolution.

A message from the Senate by Mr. *Bland*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to empower the late sheriff of Prince George to take the election of delegates for the said county*; and he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, resolved itself into a committee on the bill *For the naturalization of foreigners*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had gone through the said bill, and made an amendment thereto, which he was ready to report when the House should be pleased to receive the same.

*Ordered*, That the said report be received on *Monday* the 11th of *November* next.

*Resolved*, That this House will to-morrow again resolve itself into a committee upon the state of the country.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate*,—*For reviving the late laws relating to the inspection of tobacco, with amendments*,—and the order of the day for the House to proceed against the several members who failed to appear when the House was called over on the 18th instant, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

TUESDAY, October 29, 1776.

A bill *For raising six additional battalions of infantry on the continental establishment*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Adams* reported, that the committee had, according to order, had under their consideration the said bill, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.

A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for vesting certain lots and streets in the town of Patesfield in trustees, and for other purposes therein mentioned*.

They have also agreed to the resolution of this House, that in all future elections to be made by joint ballot of both Houses it be a standing rule that no ballot be counted unless the person named therein shall have been previously and openly named in one or the other House.

Also to the resolution allowing *Wilson Miles Cary*, Esq. to receive an indemnity out of such effects of lord *Dunmore* as are within this Commonwealth, to the amount of 240*l*. in proportion with his other creditors.

They also concur with this House in their resolution to ballot for a committee to revive the laws, on *Tuesday* se'nnight. And he delivered the said bill and resolutions in at the bar, and then withdrew.

*Ordered*, That the Treasurer do lay his accounts before the House.

Mr. Treasurer, from the committee appointed, presented, according to order, a bill *For ascertaining the boundary between the county of Augusta and the district of West Augusta, and for dividing the said district into three distinct counties*; and the same was read the first time, and ordered to be read a second time.

The Speaker laid before the House a letter from the Governour, enclosing one from the President of the Council of *North Carolina*; which were read and ordered to lie on the table.

The Treasurer, according to order, laid his accounts before the House; and they were ordered to lie on the table.

The orders of the day, for the House to resolve itself into a committee on the state of the country, on the bills *Declaring slaves to be personal estate*; *For reviving the late laws relating to the inspection of tobacco, with amendments*; and the order of the day for the House to proceed against the several members who failed to appear when the House was called over on the 18th instant, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

### WEDNESDAY, October 30, 1776.

The Speaker laid before the House a letter from the Governour, informing him that the low state of his health rendered him unable to attend to the duties of his office, and that his physicians had recommended to him to retire therefrom into the country till he should recover his strength; which being read,

*Resolved*, That the Speaker be desired to inform the Governour, that this House, sincerely concerned that his indisposition should deprive the Commonwealth of the benefit of his services, approve of his proposition to retire from the duties of his office until his better health shall enable him to return to them.

A petition of *Daniel Sandford* was presented to the House, and read; setting forth, that the troops in the service of this country, during the time they were stationed at the *Great Bridge*, did take and make use of sundry articles the property of the petitioner, and occupied his houses from the 28th day of *November*, 1775, until the month of *July* following, and that he hath received no compensation for the same, and praying to be allowed a reasonable satisfaction for the damage he hath sustained, and the rent of his houses.

Also, a petition of *John M'Guire* and *Charles Porterfield*, setting forth, that they entered into the service of the United States as cadets in the company of *Virginia* riflemen, under the command of capt. *Morgan*, on the 22d day of *June*, 1775; that, after being at a very heavy expense in equipping themselves for that service, they were ordered on the expedition against *Canada*, under the command of colonel *Arnold*, and that on the 31st of *December* following, on storming the city of *Quebeck*, they were, by the fortune of war, made prisoners, where they continued under a close and painful confinement until the 24th of last month; that their cases were particularly hard, in being deprived, in consequence of their imprisonment, of preferment in the continental army, which others have received; that they have been put, in the course of their imprisonment, to great expenses; and praying the House will take their case into consideration, and, if they shall think it reasonable, reimburse them their necessary expenses.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

*Resolved*, That a committee be appointed to inquire into and report the state of the lands formerly appropriated to the use of the Governour and Secretary in the counties of *James City* and *Northampton*; and that Mr. *Tazewell*, Mr. *Bolling*, Mr. Treasurer, Mr. *Norvell*, Mr. *Prentis*, Mr. *Acrill*, Mr. *Savage*, and Mr. *Henry*, be of the said committee.

*Ordered*, That leave be given to bring in a bill *To empower the eldest Privy Counsellor, in case of the death, inability, or necessary absence of the Governour and Lieutenant Governour, to perform the executive part of government*; and that Mr. *Bullitt* and Mr. *Richard Cary* do prepare and bring in the same.

*Ordered*, That Mr. *Griffin* and Mr. *Richard Cary* be added to the committee appointed to prepare and bring in a bill *For the administration of justice*.



*Ordered*, That Mr. *Godfrey* be added to the Committee of Propositions and Grievances, and to the Committee of Trade.

*Ordered*, That a committee be appointed to inquire into and report the state of the several publick manufactories in this country; and that Mr. *Lee*, Mr. *Wills*, Mr. *Bullitt*, Mr. *Adams*, Mr. *Thornton*, Mr. *Page* of *Spotsylvania*, Mr. *Fitzhugh*, Mr. *Clapham* and Mr. *Brent*, be of the said committee.

A petition of *George Brent* and *Robert Brent* was presented to the House, and read; setting forth, that upon the 27th of *April* last they had each a slave condemned by the county court of *Stafford* for felony, which were thought proper objects of mercy, and pardoned by the late Convention; but that as they had attempted to get to the enemy, they were ordered to be employed in the lead mines, and the petitioners allowed a reasonable price for their labour; that the wages allowed them are not equal to the service of the said slaves, and as the danger of their escaping to the enemy is now happily removed, they pray the said slaves may be returned to them, with the hire due for them, or that the country will become the purchasers thereof, at a reasonable valuation.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they examine into the matter thereof, and report the same, with their opinion thereupon, to the House.

Mr. *Bullitt*, from the committee appointed, presented, according to order, a bill *To increase the reward for apprehending horse-stealers, and for other purposes therein mentioned*; which was read the first time, and ordered to be read a second time.

*Ordered*, That Mr. *Pickett*, Mr. *Ewell*, Mr. *Gordon*, and Mr. *Brent*, be added to the committee appointed to settle and state such of the claims against the publick, on account of the late expedition against the *Indians*, as then remained unsettled, and to revise those already settled in *West Augusta*.

*Ordered*, That Mr. *Scott* have leave to be absent from the service of this House for the remainder of the session, for the recovery of his health.

A bill *For farther continuing the act intituled An act to make provision for the support and maintenance of idiots, lunatics, and other persons of unsound minds*, was read a second time, and ordered to be committed to the Committee of Propositions and Grievances.

A bill *For farther continuing the act intituled An act for regulating the practice of Attornies*, was read a second time, and committed to the Committee for Courts of Justice.

A bill *To revive and amend an act intituled An act for the inspection of pork, beef, flour, tar, pitch and turpentine*, was read a second time, and ordered to be committed to the Committee of Trade.

A bill *For ascertaining the boundary between the county of Augusta and the district of West Augusta, and for dividing the said district into three distinct counties*, was read a second time, and ordered to be committed to Mr. *Treasurer*, Mr. *Simms*, the members for *Augusta*, *Frederick*, *Dunmore*, *Hampshire*, *Botetourt* and *Fincastle*.

A bill *For dividing the county of Fincastle into two distinct counties*, was read a second time, and ordered to be committed to Mr. *Jefferson*, Mr. *Simms*, Mr. *Bullitt*, the members for *Fincastle*, *Augusta* and *Botetourt*.

*Ordered*, That it be an instruction to the said committee, that they receive a clause, or clauses, for laying off *Kentucky* into one distinct county.

A message from the Senate by Mr. *Mason*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House, expressing their concern at the indisposition of the Governour, and desiring he will retire from the duties of his office for the recovery of his health; and he delivered the same in at the bar, and then withdrew.

The Speaker laid before the House a letter from the Commissioners of the Navy, enclosing the present state of the several armed vessels belonging to this country; which was read, and referred to the Committee upon the State of the Country.

The House, according to the order of the day, resolved itself into a committee upon the state of the country, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Treasurer* reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the Commissioners of the Navy be desired, as soon as possible, to send such of the armed vessels belonging to this State to cruise on the enemy as can be spared, and may be properly fitted for that purpose.

*Resolved*, That the Governour, with the advice of the Privy Council, be desired to employ so many of our cruizers, or other vessels, as are fit for the purpose, in exporting the produce of this country to such foreign ports, those of *Great Britain* excepted, as may be judged most proper for obtaining a speedy and effectual supply of necessaries for our army and navy; a proper quantity of salt, and a sufficient number of cotton and wool cards, for the use of the inhabitants of the country, to be distributed in such manner as may be judged necessary, and paid for at such prices as those articles may cost, all charges included.

*Ordered*, That the Treasurer do carry the said resolutions to the Senate for their concurrence.

*Resolved*, That this House will to-morrow again resolve itself into a committee to take into their farther consideration the state of the country.

The Speaker laid before the House a letter from the Governour, enclosing two letters from colonel *Christian*, relating to the *Indian* expedition; which were read, and ordered to lie on the table.



Mr. Treasurer, from the committee to whom the bill *For ascertaining the boundary between the county of Augusta and the district of West Augusta, and for dividing the said district into three distinct counties*, was committed, reported, that the committee had gone through the said bill, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. *Ellzey*.

MR. SPEAKER,

The Senate have not yet concurred with the House in their resolution for putting the forts on the frontiers of this State under the direction of Congress. They desire to see the papers upon which the resolution is founded, and expect that in future all letters and papers directed to the General Assembly, will be laid before them. And he delivered the same in at the bar, and then withdrew.

*Ordered*, That the said message do lie on the table.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate*,—*To revive the late laws relating to the inspection of tobacco, with amendments*.—*For raising six additional battalions of infantry on the continental establishment*, and the order of the day for the House to proceed against the several members who failed to appear when the House was called over on the 18th instant, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

#### THURSDAY, October 31, 1776.

*Ordered*, That leave be given to bring in a bill *For appointing naval officers, and ascertaining their fees*, and that the Committee for Trade do prepare and bring in the same.

A petition of *John Brown, John Woodniff, and Tandy Johnson*, was presented to the House, and read; setting forth, that they were minute soldiers stationed at *Jamestown* in the month of *July* last, and were there taken sick; that they have since been conveyed by their friends to their respective homes, but that while sick they were obliged to incur an expense amounting to *5l. 7s. 6d.* to a physician, for medicines and attendance, which they pray may be paid by the publick.

*Ordered*, That the said petition be referred to the Committee of Publick Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of *Sussex*, complaining that they suffered great inconveniences from the owners of mills on *Nottoway* river having erected milldams, by which the passage of fish is greatly obstructed, and praying that such obstructions may be removed.

Also a petition of the freeholders and inhabitants of the counties of *Lunenburg* and *Mecklenburg*, complaining of the like inconveniences from the obstructions in the river *Meherrin*, and praying they may be removed.

Also a petition of *David Davis*, setting forth, that he is desirous of engaging in a linen and woolen manufactory, if he can be encouraged and enabled by the publick; that he proposes to borrow *500l.* and to mortgage a tract of land for the payment thereof worth *900l.* and praying the loan of the said sum of money.

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. *Mason*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House for paying to *Walter Steward* the sum of *14l.* for a horse lost in the service on the expedition against the *Indians*; and he delivered the same in at the bar, and then withdrew.

Mr. *Bullitt*, from the committee appointed, presented, according to order, a bill *To empower the eldest Privy Counsellor, in case of the death, inability, or necessary absence of the Governour and Lieutenant Governour, to perform the executive part of government*; which was read the first time, and ordered to be read a second time.

A message from the Senate by Mr. *Matthews*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House instructing the delegates from this State in General Congress to protest against dismembering this State of any part of its territory, and for adopting proper measures against any persons in this State who should attempt to form themselves into a distinct or independent government without the consent of the Legislature; and he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, resolved itself into a committee on the state of the country, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their farther consideration the state of the country, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee to take into their farther consideration the state of the country.

*Ordered*, That Mr. Jones have leave to be absent from the service of this House for the recovery of his health. The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate*,—*For reviving the late laws relating to the inspection of tobacco, with amendments*,—*To raise six additional battalions of infantry on the continental establishment*, and the order of the day for the House to proceed against the several members who failed to appear when the House was called over on the 18th instant, being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Mr. Taylor of *Caroline*, have leave to be absent from the service of this House until Monday se'nnight.

Adjourned till to-morrow, 10 o'clock.

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## FRIDAY, November 1, 1776.

A petition from the dissenters from the church of *England* in the counties of *Albemarle* and *Amherst*, was presented to the House, and read; setting forth, that they are exposed to great hardships in being obliged to contribute to the support of the established church, contrary to the dictates of their conscience; and praying that every religious denomination may be put upon an equal footing, independent of another.

*Ordered*, That the said petition be referred to the Committee of Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Abraham Cowley* was presented to the House, and read; praying to be allowed the sum of 16*l*. for wood furnished the prisoners of the 14th regiment who were sent to *Richmond*, and the guard attending them.

On the question put, that the said petition be referred to a committee, it passed in the negative.

*Resolved*, That the said petition be rejected.

A petition of *William Bruce* was presented to the House, and read; setting forth, that, together with one *William Harrison*, now deceased, he was inspector at *Morton's* and *Gibson's* warehouses, in the county of *King George*, which inspections are distant about thirteen miles from each other; that they always took the greatest care to secure the said warehouses, notwithstanding which, they were several times broken open, and several hogsheads of tobacco, amounting to 26*l*2 pounds neat, were stolen thereout, and in the same year a quantity of transfer tobacco, amounting to 2153 pounds, which proceeded from no neglect; that he has been obliged to pay the proprietors for the said tobacco; that by some oversight of the petitioner, in drawing off the list of tobacco damaged by the heavy rains which fell in the year 1769, one hogshead, weighing 1152 pounds neat, was omitted; and praying to be allowed for all the said tobacco.

Also, a petition of *Richard Hewitt* and *Elias Hore*, late inspectors of *Aquia* warehouse, setting forth, that in the year 1771, when commissioners were appointed to state and settle the accounts of the tobacco damaged by the great fresh, they presented a list of the same to the commissioners; but there being then in the said warehouse a large quantity of tobacco, it was impossible for them to examine the whole, by which means they omitted nine hogsheads of damaged tobacco, for which they have been obliged to satisfy the proprietors.

Also, a petition of *Peter Helphinstine*, setting forth, that on the march of the regiment to which he belonged, to *South Carolina*, a horse valued at 20*l*. died through hard service; that after the defeat of general *Clinton* at *Charleston*, he was seized with a violent disorder, which prevented him from marching with the regiment to *Georgia*, and on that account obtained leave of general *Lee* to resign; that his return home was attended with considerable expense, and praying the House will make him such compensation as they shall think just and reasonable.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Peter Light* was presented to the House, and read; setting forth, that he is desirous of erecting a slitting mill on his plantation in the county of *Berkeley*, but is unable, for want of sufficient stock, to proceed in the said business without the assistance of this House; and praying that a sum of money may be advanced him, for the payment of which, in money, slit iron, or nails, he is ready to give bond with sufficient security.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill *For the establishment of Courts of Justice*, that they divide the subject thereof into five distinct bills, under the following titles: *A bill for establishing a Court of Appeals, A bill for establishing a High Court of Chancery, A bill for establishing a General Court, A bill for establishing a Court of Admiralty, and A bill for regulating the proceedings of County Courts.*

A bill *For ascertaining the boundary between the county of Augusta and the district of West Augusta, and for dividing the said district into three distinct counties*, was read the third time.

*Resolved*, That the said bill do pass, and that Mr. *Simms* carry the same to the Senate for their concurrence.



A message from the Senate by Mr. Bland.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act declaring tenants of lands or slaves in taille to hold the same in fee simple*; and he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, resolved itself into a committee on the bill *For raising six additional battalions of infantry on the continental establishment*; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Ellzey.

MR. SPEAKER,

The Senate have agreed to the resolution of this House, empowering the Governour and Council to take such measures for the preservation or disposition of the horses and provisions mentioned in the letter of Mr. Thomas Madison as shall appear most proper, and to the resolution recommending it to the Governour and Council to give instructions to the commanding officer of the army destined against the *Cherokees* to take such steps at the end of the campaign for the future protection of the south-western frontier as shall appear to be necessary; and he delivered the same in at the bar, and then withdrew.

Mr. Lee, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the petition of John M'Guire and Charles Porterfield, to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the allegations of the said petition are true, and that the petitioners ought to be allowed soldiers' pay from the 22d of June, 1775, the time they entered into that service, till the 1st of November, 1776, which at 1s. 6d. per day, amounts to the sum of 37l. 5s. 6d. each, also the farther sum of 25l. each, to reimburse them their expenses, and as an acknowledgment of their great merit, and compensation for their extraordinary fatigue and hardships in a long and painful march to *Quebeck*, and irksome captivity there, and being prevented by their confinement of that advantage which other cadets have had of rising in the army.

*Resolved*, That application be made by the delegates from *Virginia* to the General Congress, to reimburse this State the sum of 66l. 5s. 4d., being the amount of the pay of the said cadets under the continental establishment, from the 22d day of June, 1775, till the 1st of November, 1776.

*Ordered*, That Mr. Lee do carry the said resolutions to the Senate for their concurrence.

A message from the Senate by Mr. Mason.

MR. SPEAKER,

The Senate have agreed to the resolution of this House, allowing Gabriel Maupin the sum of 50l. for receiving into and delivering out of the magazine the military stores belonging to this State.

Also to the resolutions for sending the armed vessels belonging to this State to cruise on the enemy, and for employing so many of our cruisers and other vessels as are fit for the purpose, in exporting the produce of this country, for obtaining a speedy supply of necessaries for the army and navy, and a proper supply of cotton and wool cards for the inhabitants of this country; and he delivered the same in at the bar, and then withdrew.

*Ordered*, That Mr. Wills have leave to be absent from the service of this House until *Thursday*, and Mr. Tazewell, until *Friday* next.

A bill *To empower the eldest Privy Counsellor, in case of the death, inability, or necessary absence of the Governour and Lieutenant Governour, to perform the executive part of government*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will to-morrow resolve itself into a committee on the said bill.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *Declaring slaves to be personal estate*—*To revive the late laws relating to the inspection of tobacco, with amendments*.—and the order of the day for the House to proceed against the several members who failed to appear when the House was called over on the 18th of *October*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

SATURDAY, November 2, 1776.

*Ordered*, That there be a call of the House on *Monday* next, at 11 o'clock.

A petition of sundry inhabitants of the county of *Prince William* was presented to the House, and read; setting forth, that they consider the community at large as equally interested in the present struggle for the rights and liberties of mankind; that the landlord and tenant, the creditor and debtor, the gentleman and peasant, ought to share a just proportion of the inevitable evils attendant on war, and a total deprivation of trade; that whilst the rents of lands, and



the interest of money, are accumulating from year to year, should the tenants and debtors have no possible means of payment from their honest industry, they conceive there will be an inequality, which unless attended to, and relieved against, must involve many in ruin; that they do not ask that the rents of lands, and the interest of money, should be abolished, but they hope landlords and creditors will be content to receive the same in the produce of the earth, at such prices, and in such manner, as shall be thought reasonable.

*Ordered*, That the said petition be referred to the Committee upon the State of the Country.

Mr. *Jefferson*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petition of *John Goodrich* the younger, in behalf of himself and company, to them referred, and had come to several resolutions thereupon, as follows:

*Resolved*, as the opinion of this committee, that so much of the said petition as prays that the balance due to the said petitioner and company, for goods furnished Mr. *William Jylett*, for the use of this country, may be paid, is reasonable, and that the sum of 1093*l.* ought to be paid to the said petitioner by the publick.

*Resolved*, as the opinion of this committee, that such other part of the said petition as prays that the petitioner may be absolved from the sentence of the Convention in *January* last, forbidding all persons to have farther dealings with the said petitioner, and that he may be restored to the capacity of following his vocation, is reasonable.

The first of the said resolutions being again twice read, was, on the question put, ordered to be re-committed to the said committee.

The second of the said resolutions being also twice read, was, on the question put, agreed to by the House.

A petition of *Philip Pendleton* and *James Myler*, inspectors at *Walkerton* warehouses, in *King* and *Queen* county, was presented to the House, and read; setting forth, that some time in the year 1774, one of the warehouses of the said inspection was broke open, and a hoghead of tobacco, weighing 1080 pounds neat, stolen thereout, for which they have been obliged to pay 7*l.* 0*s.* 4*d.* and praying to be reimbursed by the publick.

Also a petition of *Joel Cornick*, jun. *Thomas Bancks*, *Lemuel Cornick*, and *William Haynes*, setting forth, that *Harry*, a negro man slave belonging to the petitioner *Joel*, *Jemmy* to the petitioner *Thomas*, *Romeo* to the petitioner *Lemuel*, and *Europe* to the petitioner *William*, being in Lord *Dunmore's* service, were taken at the *Great Bridge* in the month of *December* last, and were afterwards by the Committee of Safety sent to the *West Indies*, in a vessel commanded by Capt. *John Dixon*, which was seized by a *British* ship of war, and made prize of, and praying to be allowed the valuation of the said slaves.

Also a petition of *Jacob Keeling*, setting forth, that *Lewis* and *Bob*, two negro slaves belonging to him, being in like manner taken in the service of Lord *Dunmore*, and sent with Capt. *Dixon* to the *West Indies*, were made prize of, and praying to be allowed the valuation of the said slaves.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry persons residing at the *Warm Springs*, in the county of *Berkeley*, was presented to the House, and read; setting forth, that the said springs have for many years past been resorted to by people afflicted with various disorders, great numbers of whom have every season received benefit from the use of the waters; that there are at present upwards of four hundred persons, most of whom are attending for the recovery of their health; that the said springs, with the adjacent lands, are held by the right honourable *Thomas Lord Fairfax*, or by some person or persons by an office grant, or other secret conveyance, from him; that he has been frequently applied to to erect proper buildings for the reception of company, or to grant the property of some part of the adjacent lands to such persons as were desirous of building thereon for that purpose, but could never be prevailed on to do so, by which means every one whom misfortunes drive thither is subjected to many inconveniencies, more especially the poor and indigent, not having shelters to save them from the inclemency of the weather, being denied the privileges of cutting timber on his lordship's land, either for building or fuel; and praying the consideration of the premises, and that some mode may be adopted for rendering the natural advantages above mentioned of publick and general utility, reserving to his lordship, or his grantees, all the profits which their property in the soil reasonably entitles them to.

Also a petition of *John West*, jun. setting forth, that *John Colville*, late of the county of *Fairfax*, deceased, being seized of sundry tracts of land in the said county, several of them lying in that part of it since called *Loudoun*, by his last will and testament, dated the sixth day of *May*, 1755, devised the said lands, with sundry slaves, to the right honourable *Charles* earl of *Tankerville*, of the kingdom of *England*, since deceased, and appointed the said earl and *Thomas Colville* his executors; that the said *Thomas Colville*, as executor and agent for the said earl, continued to manage the said estate until his death, which happened in the year 1766, after which the petitioner was authorised to succeed the said *Colville*, but his authority was in a little time superseded by the death of the said earl of *Tankerville*, who, as the petitioner has good cause to believe, devised the said estate to the honourable *Henry Bennett*, Esq. his young son, then and still an infant; that knowing many of the tenants to be unmanageable, he wrote to the present earl of *Tankerville*, guardian of the said *Henry Bennett*, advising, that a new power of attorney should be sent to some person for the management of the said estate, but he has not yet attended to the matter; that it becoming publick that the petitioner's power was incomplete, many have taken advantage thereof, and many of the tenants placed legally on the land withhold their rents, and near 200 families have settled thereon without any permission or authority, and cut and destroyed the timber in a shameful manner; that he is apprehensive such combinations are formed among the occupiers of the land as would render it difficult, if not dangerous, to act if a power should arrive from *England*; and praying, on behalf of the said *Henry Bennett*, that commissioners may be appointed to

oppose waste, to receive the rents, and compromise for arrears, and that the profits of the said lands and slaves may be paid into the publick treasury for the use of the said *Henry Bennett*.

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Mr. *Bullitt*, from the committee appointed, presented, according to order, a bill *Declaring what shall be treason*; which was read the first time, and ordered to be read a second time.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of *John Brown, John Woodrough, and Tandy Johnston*, soldiers in the minute service of this State, who were taken sick in the said service, and continued ill for some time after they returned to their respective homes, which rendered the assistance of a physician necessary, praying to be reimbursed the expense thereof, is reasonable; and that the following allowances be made the said petitioners, to wit: To *John Brown* the sum of 1*l.* 7*s.* 3*d.* *John Woodrough* 1*l.* 1*s.* 6*d.* and *Tandy Johnson* 2*l.* 18*l.* 9*d.* to reimburse them their respective expenses as aforesaid.

*Resolved*, That the petition of *Alexander Lithgow*, praying to be allowed for sundry liquors and biscuit furnished the militia of *Prince William* county, whilst they were intrenching at the mouth of *Quantico*, be rejected.

*Resolved*, That the petition of *Sarah Millyard and Jane Dixon*, praying relief in their present distressed situation, they having had all their effects, as well as the dwelling house of the said *Jane*, consumed when *Norfolk* was burnt, by means of which loss, and their advanced age and other infirmities, they are rendered incapable of getting necessary subsistence, is reasonable, and that the petitioners be allowed each the sum of 10*l.* for their present relief.

*Resolved*, That the petition of *Peter Helphinstine*, late major of the eighth regiment, praying to be allowed for a horse which died on the march of the said regiment from *Suffolk* to *South Carolina*, and also to be reimbursed his expenses in returning home from *Charlestown*, where he was seized with a violent disorder that rendered him incapable of marching with the troops to *Georgia*, and was, in consequence thereof, permitted to resign his commission, be rejected, it appearing to be a matter wherein the continent alone is interested.

*Resolved*, That the petition of *James Suggett*, praying to be allowed for a horse which died in the continental service, be rejected.

*Ordered*, That Mr. *Lee* do carry the first and third of the said resolutions to the Senate for their concurrence.

The House, according to the order of the day, resolved itself into a committee on the bill *To empower the eldest Privy Counsellor, in case of the death, inability, or necessary absence of the Governour and Lieutenant Governour, to perform the executive part of government*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

*Ordered*, That there be an immediate call of the House.

The House was accordingly called over, and Mr. *John Winn*, Mr. *John Mayo*, Mr. *John Banister*, Mr. *George Mason*, Mr. *James Wood*, Mr. *Lewis Burvell*, Mr. *Mann Page*, jun. of *Gloucester*, Mr. *Thomas Johnson*, Mr. *William Clayton*, Mr. *Mann Page* of *Spotsylvania*, Mr. *William Harwood*, and Mr. *William Roscoe Wilson* *Curle*, failing to appear, it is ordered, that they be taken into custody by the Serjeant at Arms, to answer for their said default.

*Ordered*, That Mr. *Nathaniel I. Savage* have leave to be absent from the service of this House until *Tuesday* next.

*Ordered*, That Mr. *Patteson* and Mr. *John Cabell* be excused for not appearing when the House was called over on the 18th of *October* last.

*Ordered*, That Mr. *Lyne* be added to the Committee of Publick Claims, Mr. *Williams* to the Committee of Religion, and Mr. *Henry* and Mr. *Page* to the Committee of Privileges and Elections.

*Ordered*, That a committee be appointed to examine the Treasurer's accounts; and that Mr. *Henry*, Mr. *Gray*, Mr. *Jefferson*, Mr. *Fitzhugh*, Mr. *Adams*, Mr. *Curle*, Mr. *Fleming*, Mr. *Prentis*, Mr. *Pickett*, Mr. *Speed*, Mr. *Bullitt*, and Mr. *Williams*, be of the said committee.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *Declaring slaves to be personal estate*, and *To revive the late laws relating to the inspection of tobacco, with amendments*, being read,

*Ordered*, That the same be put off till *Monday* next.

A bill *For raising six additional battalions of infantry on the continental establishment*, was read a third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that Mr. *Jefferson* do carry the same to the Senate for their concurrence.

Adjourned till *Monday*, 10 o'clock.



MONDAY, November 4, 1776.

The House being informed that Mr. *Page* of *Spotylvania*, Mr. *Mayo*, Mr. *Burwell*, Mr. *Clayton* and Mr. *Curle*, attended in custody of the Serjeant at Arms,

*Ordered*, That they be discharged out of custody, and admitted to their seats in this House, on paying fees.

A bill *To increase the reward for apprehending horse-stealers, and for other purposes therein mentioned*, was read a second time, and ordered to be engrossed and read a third time.

The House being informed that Mr. *Harwood* and Mr. *Wood* attended in custody of the Serjeant, and had good cause for not appearing when the House was called over, on *Saturday* last,

*Ordered*, That they be discharged from custody, and admitted to their seats in this House, without paying fees.

A memorial of *Smyth Tandy* was presented to the House, and read; setting forth, that he has been regularly bred to the business of manufacturing and bleaching of linen in *Ireland*, and carried on the same in that kingdom for several years; that he proposes, if encouraged by the publick, to establish a bleach green, with a mill and all other necessities, after the most proved and complete models, at his plantation within four miles of *Staunton* in *Augusta* county, which is well situated for that purpose; but as the same will be attended with considerable expense, he finds it impossible to proceed therein without the assistance of the publick, and praying for such assistance.

Also, a petition of sundry prisoners confined in the public jail, setting forth, that several of them, who have wives and families, have been for a long time imprisoned, and finding no method has been yet adopted for their trial, are under great apprehensions of suffering for want of necessary clothes during the inclemency of the approaching season, and praying such relief as this House shall judge reasonable.

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

Mr. *Carter*, from the committee appointed to inquire into and report the state of the public vineyard under Mr. *Estave*, reported, that the committee had, according to order, examined into the same, and that it appeared to them that there are now ten acres of land in the cultivation of vines, containing about thirty thousand in a flourishing state, the houses in good repair, and the slaves increased and healthy, except one; that the manager of the vineyard has for a long time been deprived of a negro man slave now in possession of colonel *Churchill*, payment for which appears, by several letters, to have been repeatedly promised; that little or no expense will be incurred by a continuance of the vineyard a year or two longer, and that its success would be productive of great advantage to this State, as well as the continent in general; and that they had come to a resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read and disagreed to, and is as follows:

*Resolved*, That the said *Andren Estave* be continued manager of the said vineyard for two years longer.

On a motion made,

*Resolved*, That commissioners be appointed to make sale of the lands and slaves in the tenure and possession of the said *Andrew Estave* belonging to the publick.

*Ordered*, That leave be given to bring in a bill pursuant to the said resolution; and that Mr. *Bowyer*, Mr. *Joseph Cabell*, and Mr. *Meriwether*, do prepare and bring in the same.

*Ordered*, That it be an instruction to the Committee of Propositions and Grievances, who are directed to prepare and bring in a bill *For establishing a ferry over the Fluvannah river, from the land of Henry Trent to the land of Nicholas Davies*, that they receive a clause, or clauses, for establishing a ferry from the point of the fork of the *Rivannah* and *Fluvannah* rivers, across the said *Fluvannah*, to the lands late the property of *Philip Mayo*, deceased, on the south side thereof, also from the said point of the fork across the said *Rivannah* to the lands of *Samuel Martin*, across the mouths of the two rivers, to the said lands late the property of the said *Philip Mayo*, on the south side of the said *Fluvannah*, and also for establishing a ferry across the said *Fluvannah* river, from the lands of *William Cannon*, on the south side thereof, to the lands of *Walter King*, on the opposite side.

An engrossed bill, *To empower the eldest Privy Counsellor to act as Lieutenant-Governour in case of the death, inability, or necessary absence of the Governour and President of the Council*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Bullitt* do carry the same to the Senate for their concurrence.

The House, according to the order of the day, resolved itself into a committee on the state of the country, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their farther consideration the state of the country, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the Treasurer be empowered to emit treasury notes to the amount of 100,000*l.* in dollars and parts of dollars, to answer the pressing demands against the publick, for the redemption of which provision shall be made this session; and that the Treasurer be authorised to appoint proper persons to sign and number the said notes, and to overlook the press.

*Ordered*, That Mr. *Jefferson* do carry the said resolution to the Senate for their concurrence.

The House, according to the order of the day, resolved itself into a committee upon the bill *To revive the late laws relating to the inspection of tobacco, with amendments*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had made a farther progress therein, but not having time to go through the same, had directed him to move for leave to sit again.



*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.

A message from the Senate by Mr. *Holt*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House empowering the Treasurer to emit treasury notes to the amount of 100,000*l*. in dollars and parts of dollars, to answer the pressing demands against the publick; and he delivered the same in at the bar, and then withdrew.

Mr. *Jefferson*, from the committee appointed, presented, according to order, a bill *To establish the places of holding courts in the counties of Pitsylvania and Henry*; which was read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill *For establishing the places for holding courts in the counties of Stafford and King George*; and that Mr. *Carter*, Mr. *Fitzhugh*, and Mr. *Brent*, do prepare and bring in the same.

Mr. *Henry*, from the committee appointed, presented, according to order, a bill *For the speedy election of committees in such counties as have omitted electing them at the time prescribed by law, and for limiting their continuance*; which was read the first time, and on the question put that the said bill be read a second time, it passed in the negative.

*Resolved*, That the said bill be rejected.

*Ordered*, That leave be given to bring in a bill *For dissolving the several county and corporation committees in this Commonwealth*, and that Mr. *Henry* and Mr. *Jefferson*, do prepare and bring in the same.

The orders of the day, for the House to resolve itself into a committee on the bill *Declaring slaves to be personal estate*, and for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

Mr. *Henry*, from the committee appointed, presented, according to order, a bill *For dissolving the several county and corporation committees in this Commonwealth*; which was read the first time, and ordered to be read a second time.

*Ordered*, That a new writ issue for the election of a sub-delegate for the county of *Charles City*, during the absence of *Benjamin Harrison*, Esq. the former writ having been executed and returned by the late sheriff of the said county after the expiration of his sheriffalty.

Adjourned till to-morrow, 10 o'clock.

## TUESDAY, November 5, 1776.

Mr. *Carter*, from the committee appointed, presented, according to order, a bill *For establishing the places for holding courts in the counties of Stafford and King George*; which was read the first time, and ordered to be read a second time.

A petition of *Andrew Edwards* was presented to the House, and read; setting forth, that he shall be exposed to great inconveniencies from a determination of the Commissioners of the Navy to appropriate *Cuve's* warehouses, on the land of the petitioner, for the purpose of storing the different commodities necessary for the navy in *Potowmack*, and praying that the said inspection may be put down, and the petitioner, as far as may be consistent with the publick good, relieved against the said inconveniencies.

Also a petition of *James Hunter*, setting forth, that the Commissioners of the Navy have contracted with him to take care of the naval stores and other materials for ship-building, and to have the same secured in some safe place; that he hath pitched upon *Cuve's* warehouses, on the head of *Potowmack* creek, as a place not accessible to the enemy, and so situated, as, should the passage through *Chesapeake* bay be obstructed, and it becomes necessary to get stores from *Philadelphia*, the expense of much land carriage would be saved by a considerable inland navigation; that the lot on which the said warehouses stand is the property of the publick, and the warehouse built at the country's expense, on account of which there is an arrear of upwards of 300*l*. and praying he may be allowed the use of the said lot and warehouses at a reasonable rent, with liberty to build a storehouse on the said lot at the publick expense, he paying an additional rent for the same, or to build thereon at his own expense.

Also several petitions from the inhabitants of *Cumberland* county, setting forth, that they have for a great number of years laboured under inconveniencies from the extensive bounds of the said county, and praying a division thereof.

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Richard Bean* was presented to the House, and read; setting forth, that he enlisted as a soldier under Capt. *Campbell*, in the first *Virginia* regiment, on the 28th day of *September*, 1775, from which time he is entitled to pay, but that by some mistake in Capt. *Campbell* he was only allowed pay from the 4th of *November* last, by which means the sum of 2*l*. 9*s*. 4*d*. still remains due to him, and praying payment thereof.

*Ordered*, That the said petition be referred to the Committee of Publick Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. Harrison, Mr. Prentis, Mr. Page of Gloucester, Mr. Wilson Miles Cary, Mr. Wood, Mr. Digges, Mr. Edmondson, Mr. Brent, Mr. Fleming, Mr. Muse, Mr. Washington, Mr. Acrill, Mr. Faulcon, Mr. Richard Cary, Mr. Ewell, Mr. Pickett, Mr. Bowyer, Mr. Carter, Mr. Lyne, and Mr. Coleman, be added to the Committee for Religion.

*Ordered*, That Mr. Harrison be added to the Committee of Privileges and Elections.

An engrossed bill, *For increasing the reward for apprehending horse-stealers, and for other purposes therein mentioned*, was read the third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that Mr. Bullitt carry the same to the Senate for their concurrence.

A bill *Declaring what shall be treason*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will on *Friday* next resolve itself into a committee on the said bill.

A bill *For dissolving the several county and corporation committees in this Commonwealth*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will on *Thursday* next resolve itself into a committee on the said bill.

Mr. Speaker laid before the House a letter from the delegates appointed to represent this State in General Congress, enclosing the proceedings of the Convention of the State of *Pennsylvania* on the subject of the disputed boundary between this Commonwealth and *Pennsylvania*; which were read, and together with a former letter from the said delegates, on the same subject, ordered to be referred to Mr. Jefferson, Mr. Lee, Mr. Henry, Mr. Ewell, Mr. Madison, Mr. Lewis, Mr. M'Dowell, Mr. Hite, Mr. Simms, and Mr. Wood; and they are to report the same, with their opinion thereupon, to the House.

Mr. Braxton, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of divers inhabitants of the county of *Halifax*, praying that the courthouse of the said county may be moved to or near the centre thereof, is reasonable.

*Resolved*, That the petition of divers inhabitants of the county of *Halifax*, in opposition thereto, be rejected.

*Resolved*, That the petition of *Alexander Hanewinkel*, praying a sum of money to enable him to erect proper works for manufacturing of linen, be rejected.

*Ordered*, That the said committee do prepare and bring in a bill pursuant to the first of the said resolutions.

The House, according to the order of the day, being about to ballot for the appointment of a committee to revise the laws, several gentlemen were nominated as proper persons to be ballotted for.

*Ordered*, That Mr. Starke do carry a list of the persons so nominated, to the Senate, and desire they will lay before this House a list of such persons as shall be nominated in their House.

A message from the Senate by Mr. Elzey.

MR. SPEAKER,

I am directed by the Senate to lay before this House a list of gentlemen who have been nominated as proper persons to be ballotted for to revise the laws; and he delivered the same in at the bar, and then withdrew.

The House then proceeded to ballot for the said committee; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot box, Mr. Starke, Mr. Curle, Mr. Prentis, and Mr. Lyne, were appointed a committee to meet a committee to be appointed by the Senate, and report to the House upon whom the majority fell.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate, in the conference room, and had jointly with them examined the ballot boxes, and that the majority was in favour of *Thomas Jefferson*, *Edmund Pendleton*, *George Wythe*, *George Mason*, and *Thomas Ludwell Lee*, Esquires.

*Resolved*, therefore, That the said *Thomas Jefferson*, *Edmund Pendleton*, *George Wythe*, *George Mason*, and *Thomas Ludwell Lee*, be appointed a committee to revise the laws of this commonwealth.

Mr. Braxton, from the Committee of Propositions and Grievances, to whom the bill *For farther continuing the act intituled An act to make provision for the support and maintenance of idiots, lunaticks, and other persons of unsound minds*, was committed, reported, that the committee had gone through the said bill, and had directed him to report the same, without any amendment; and he delivered the bill in at the table.

*Ordered*, That the said bill be engrossed, and read a third time.

The proceedings of a court-martial for the county of *Prince William*, held on the 17th of *October* last, were presented to the House and read, setting forth the hardships that many of the militia of the said county labour under in consequence of being subjected to fines for appearing at muster without arms, which are not to be procured even by those who are able to purchase, together with a letter on the subject thereof.

*Ordered*, That the said proceedings and letter be referred to the Committee of Propositions and Grievances; and that they report the same, with their opinion thereupon, to the House.



*Ordered*, That it be an instruction to the Committee of Propositions and Grievances, who are directed to prepare and bring in a bill *For establishing a ferry across the Fluvannah river, from the land of Henry Trent, to the land of Nicholas Davies*; that they receive a clause or clauses, for establishing a ferry across *James river*, from the lands of *Anderson Britton*, in *Chesterfield county*, to the lot of *Thomas Jefferson* in *Beverley town*, on the opposite side.

The House, according to the order of the day, resolved itself into a committee on the bill *To revive the late laws relating to the inspection of tobacco, with amendments*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had made a farther progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bill *Declaring slaves to be personal estate*, and for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

### WEDNESDAY, November 6, 1776.

*Ordered*, That the Committee of Publick Claims be discharged from proceeding upon the petition of *Daniel Sanford*, and that it be referred to the Committee of Propositions and Grievances.

Mr. *Bullitt*, from the committee appointed, presented, according to order, a bill *To amend the act intituled An act for better securing the payment of levies and restraint of vagrants, and making provision for the poor*; which was read the first time, and ordered to be read a second time.

Mr. *Adams*, from the Committee of Trade, reported, that the committee had, according to order, had under their consideration the bill *To revive and amend an act intituled An act for the inspection of pork, beef, flour, tar, pitch, and turpentine*, and had gone through the same, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill with the amendments, be engrossed and read a third time.

A petition of *Elizabeth Brown* was presented to the House, and read; setting forth, that her late husband *Coleman Brown*, enlisted in the year 1774, with Captain *Morgan*, on the expedition against the *Ohio Indians*, and was killed by them; that they took from him a mare and colt, his rifle gun, with several other things, by which she is left in very distressful circumstances, with two young children; and praying this House will enable her to support her helpless infants, and relieve her present distress.

Also a petition of *William Brooks*, setting forth, that being possessed of 9*l.* 4*s.* of the paper currency of this Commonwealth, the same was casually lost and destroyed, and praying that the same may be allowed him by the publick.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Arthur Upshur* was presented to the House, and read; setting forth, that being a native of, and having every reason to love this country, he has for several years past ventured part of his fortune in trade, being partly induced thereto from the convenience of his situation, on a fine navigable creek on the seaboard in the county of *Accomack*; that before the resolution of Congress to shut our ports he had several vessels on the stocks, which he expected to have finished before the tenth of *September* in the same year, one of which he designed to send out on his own account, but by the accidental sickness of his workmen, and the delay unavoidably occasioned by the uncommon storm on the 2d of *September*, he was prevented from sailing the said vessel till some time after the 10th of that month; that having understood the merchants at *Norfolk*, whose vessels were driven on shore, were permitted to proceed on their intended voyages, after they were got off, although the tenth of *September* was elapsed, and having also understood it was allowable to make a voyage to any of the foreign islands, at any time, he sent his said vessel to the island of *Martinico*, from whence she returned with a cargo of salt; that upon the arrival of the said vessel, understanding it was the desire of the committee to see him, he accordingly attended them, and they thought proper to lay a fine upon him of 100*l.* alledging, as he afterwards understood, they took the matter up as arbitrators, a submission which he never intended to make to that body; that under these circumstances, and from a consciousness of the uprightness of his intentions, and a firm reliance on the wisdom and justice of this House, he makes this application; that he has not a wish to obtain any relief if he shall appear an enemy to this country; that he does not ask for any security from a government which he does not desire to support, but that to be held up to the publick as an enemy, when at the most he acted under a mistaken opinion, as he has since been told, to be precluded from all traffick and commerce with his countrymen for that mistake, and lastly, to be grievously fined, are matters which he submits to the consideration of this House; and praying such relief as shall seem just and reasonable.

*Ordered*, That the said petition be referred to the Committee of Privileges and Elections; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.



A petition of *Isaac Smith* was presented to the House, and read; setting forth, that lord *Dunmore* is indebted to him, as surviving partner of *Bowdoin* and *Eyre*, in the sum of 63*l*. 16*s*. halfpenny, and praying that he may be allowed a satisfaction for his said demand out of the estate of lord *Dunmore* within this Commonwealth.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A message from the Senate by Mr. *Ellzey*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for ascertaining the boundary between the county of Augusta and the district of West Augusta, and for dividing the said district into three distinct counties*, with an amendment, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

And the said amendment was read, and is as follows, viz: Page 3*d*, line 21*st*, between the *election* and *in* insert *and have and enjoy all other privileges of freeholders, agreeable to the laws of this Commonwealth*; and the said amendment being read a second time, was agreed to by the House.

*Ordered*, That Mr. *Simms* do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendment made by them.

A message from the Senate by Mr. *Bland*.

MR. SPEAKER,

The Senate have had the bill *For raising six additional battalions of infantry on the continental establishment*, under their consideration, and wish to see the papers from Congress relative to raising the said battalions; and then he withdrew.

*Ordered*, That the clerk of this House do deliver the said papers to the clerk of the Senate.

*Ordered*, That leave be given to bring in a bill *To enable the late sheriffs of those counties to act which have not recommended sheriffs, until new sheriffs can be recommended and qualified*.

Mr. *Meriwether*, from the committee appointed, presented, according to order, a bill *For appointing commissioners to dispose of the lands and slaves formerly purchased pursuant to an act intituled An act for encouraging the making wine*; which was read the first time, and ordered to be read a second time.

An engrossed bill, *For farther continuing the act intituled An act to make provision for the support and maintenance of ideots, lunaticks, and other persons of unsound minds*, was read the third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that Mr. *Brazton* carry the same to the Senate for their concurrence.

A message from the Senate by Mr. *Ellzey*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to empower the eldest Privy Counsellor to act as Lieutenant Governour in case of the death, inability, or necessary absence of the Governour and President of the Council*; and he delivered the same in at the bar, and then withdrew.

*Ordered*, That leave be given to bring in a bill *For encouraging the making of hemp, woollen, linen, and other manufactures*; and that Mr. *Bullitt*, Mr. *M'Dowell*, Mr. *Carter*, Mr. *Clapham*, Mr. *Bowyer*, Mr. *Jefferson*, Mr. *Wood*, Mr. *Henry*, Mr. *Griffin*, Mr. *Adams*, Mr. *Taylor*, Mr. *Hite*, and Mr. *Fleming*, do prepare and bring in the same.

*Ordered*, That any member of this House be at liberty to sit and vote in the Committees of Propositions and Grievances and for Religion.

Mr. *Brazton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of *Smyth Tandy*, praying that a sum of money may be advanced to assist him in erecting proper works for manufacturing and bleaching of linen, be rejected.

*Resolved*, That the petition of *Peter Light*, praying that a sum of money may be advanced to the petitioner to assist him in erecting a slitting mill, be rejected.

*Resolved*, That the petition of sundry persons residing at the *Warm Springs*, in the county of *Berkeley*, praying that part of the lands adjacent to the said springs, being the property of the right hon. *Thomas* lord *Fairfax*, may be so disposed of as that the purchasers may have liberty to erect thereon proper houses for the accommodation of those persons who may come there for the recovery of their health, is reasonable, and that fifty acres of the said land ought to be laid off for a town.

*Resolved*, That the petition of *George Brent*, and *Robert Brent*, praying that two negro slaves, the property of the petitioners, who were by a resolution of Convention directed to be employed in the lead mines, may be delivered to the petitioners, and the money due to them for their hire paid, is reasonable.

*Ordered*, That the Committee of Propositions and Grievances do prepare and bring in a bill pursuant to the third resolution, and that the Governour be desired to take proper measures for having the slaves mentioned in the fourth resolution, conveyed at the publick expense from the lead mines, and delivered to their said masters.

*Ordered*, That Mr. *Burwell* have leave to be absent from the service of this House, for the recovery of his health.

A bill *To establish the places of holding courts in the counties of Pittsylvania and Henry*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will on *Friday* next resolve itself into a committee on the said bill.

A petition of *John Hobday* was presented to the House, and read; setting forth, that he was appointed manager of the salt works between the rivers of *Rappahannock* and *York*, and between *York* and *James* rivers, in consequence of which, he employed a number of labourers at the price of 2s. 6d. per day, besides an allowance for rum, which was the lowest price at which they could be hired at that season of the year; that he lately made up an account of the expense incurred in the said works, and returned the same to the Council, who, to his great astonishment, made a deduction of six pence per day from the price he had hired the said labourers at, and 1s. 3d. from the hire of soldiers employed therein, and also a farther deduction for the spirits supplied the said labourers; that the several deductions aforesaid amount in the whole to 173*l.* 6s. 6d. which he prays may be allowed, in order to enable him to perform his engagements, made in consequence of the appointment of this House.

*Ordered*, That the said petition be referred to the committee appointed to inquire into and report the state of the several publick salt works in this commonwealth; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee on the bill *To revive the late laws relating to the inspection of tobacco, with amendments*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had gone through the same and made several amendments thereto, which he was ready to report when the House should be pleased to receive the same.

*Ordered*, That the said report be received to-morrow.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bill *Declaring slaves to be personal estate*, and the order for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

#### THURSDAY, November 7, 1776.

A petition of *Edward Garland* was presented to the House, and read; setting forth, that he entered very early, with the greatest cheerfulness, into the service of his country, and intends to continue therein; that he underwent a very hard and dangerous campaign last winter in and about the town of *Norfolk*, and in the month of *July* last was taken dangerously ill, so that the surgeon of the regiment to which he belonged thought his case desperate, upon which it was determined to call in a physician; that doctor *James M'Clurg* was employed to attend him, who, under Providence, was the means of restoring him to his health; that doctor *M'Clurg's* charge amounts to 21*l.* 11s. 6d. besides 6*l.* 15s. due to doctor *Pasteur* for medicines: that at the time he was taken ill the several hospitals were so crowded with sick soldiers that it was thought very improper that he should be sent there, in consequence of which he was removed from his lodgings to the house of Mrs. *Elizabeth Starke*, who, for six weeks board and attendance, charges him the sum of 9*l.* and praying that the said several sums of money may be paid by the publick.

Also a petition of *Elizabeth Foster*, setting forth, that her husband, a minute-man in the county of *Gloucester*, was ordered to *Gwyn's* island, to oppose the landing of lord *Dunmore* and his troops; that he was unfortunately wounded with a cannon ball, under which wound he languished for six weeks, and then died, leaving her with a child about nine months old, without a house, or any support; and praying such relief as shall he thought just and reasonable.

Also, a petition of *James Parsons*, setting forth, that he was ordered to march with a company of the *Hampshire* militia, in the year 1764, against the *Indians* in the expedition commanded by lord *Dunmore*; that he was directed to purchase a number of cattle for the use of the army, which he accordingly did, and was employed in that business about ten days, for which he has received no satisfaction; and praying to be allowed a reasonable compensation for his said services.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Kemp Whiting* was presented to the House, and read; setting forth, that he furnished the seventh regiment of troops belonging to this commonwealth with houses for an hospital during their stay in *Gloucester*, after which they were delivered up to him, but, as well as the plantation whereon they stood, had been greatly damaged by the soldiery; and praying to be allowed a reasonable satisfaction for the use of the said houses, and for the damages aforesaid.

Also, a petition of *Daniel Marchant*, *Elisha Marchant*, *Henry Powell*, *Philip Peed*, *Joseph Shipley*, and *John Shipley*; setting forth, that they lived in the neighbourhood of the camp at *Gwyn's* island, and suffered much damage from the army stationed there, having had their fields of corn and every necessary of life destroyed, and their



houses pulled down, or removed for the use of the soldiery, by which they are rendered unable to support their families, and praying relief.

Also, a petition of *Nathaniel L. Savage*, setting forth, that he was possessed of several houses and a garden in the town of *York*, which were in the month of *February* last taken possession of by capt. *Nelson's* company of regulars; that the houses and garden were then in good repair, but have been since greatly injured by the soldiers, and praying such relief as shall be thought just and reasonable.

Also, a petition of *Isaac Smith, Preeson Bowdoin, and Thoroughgood Smith*, executors of *John Bowdoin*, deceased, praying that *Reuben and James*, two negro slaves belonging to the estate of the said *John Bowdoin*, who were apprehended in endeavouring to join lord *Dunmore*, and afterwards sent to the lead mines, may be returned them, with their hire.

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *James Hunter* was presented to the House, and read; setting forth, that at a sale of the vessels and slaves lately seized by capt. *Taylor* in *Rappahannock* river, he purchased a valuable slave, named *Davy*, for the sum of ninety pounds, and gave bond, which is lodged with the Treasurer, for the same; that he employed the said slave as a ferry-man, who in crossing the river was fired on and killed by a seaman on board a cruiser commanded by capt. *Callander*, and praying to be released from payment of the said bond.

On the question put, that the said petition be referred to a committee, it passed in the negative.

*Resolved*, That the said petition be rejected.

A message from the Senate by Mr. *Bland*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for raising six additional battalions of infantry on the continental establishment*; and he delivered the same in at the bar, and then withdrew.

The House being informed that Mr. *Page* of *Gloucester* attended in custody of the Serjeant at Arms,

On a motion made,

*Ordered*, That he be discharged from custody, and admitted to his seat in this House, on paying fees.

*Ordered*, That Mr. *Fulgham* have leave to be absent from the service of this House until *Monday* next, and Mr. *Wilson Miles Cary*, for the remainder of the session.

*Ordered*, That leave be given to bring in a bill. *For altering the rates of the copper coin of this Commonwealth*, and that Mr. *Jefferson* and Mr. *Fleming* do prepare and bring in the same.

Mr. Treasurer, from the committee of the whole House, reported, according to order, amendments to the bill *To revive the late laws relating to the inspection of tobacco, with amendments*; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. *Jefferson*, from the committee appointed, presented, according to order, a bill *For altering the rates of the copper coin of this Commonwealth*; which was read the first time, and ordered to be read a second time.

The Speaker laid before the House a letter from the President of the Privy Council, which was read, and ordered to lie on the table.

Mr. *Faulcon*, from the committee appointed, presented, according to order, a bill *To enable the late sheriffs of those counties to act which have not recommended sheriffs, until new sheriffs can be recommended and qualified*; which was read the first time, and ordered to be read a second time.

A message from the Senate by Mr. *Mason*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to increase the reward for apprehending horse-stealers, and for other purposes therein mentioned*; also to the resolutions of this House allowing *John Brown* the sum of 1*l* 7*s*. 3*d*. *John Woodrough* 1*l*. 1*s*. 6*d*. *Tundy Johnson* 2*l*. 18*s*. 9*d*. *Sarah Millyard* and *Jane Dixon* 10*l*. each for their present relief, *John Cox* 6*l*. *John George Woolfolk* 2*l*. 18*s*. 6*d*. *Samuel Pritchard* 6*l*. 2*s*. 3*d*. out of the estate of lord *Dunmore*, in proportion with his other creditors, *Edward Hack Moseley*, jun. 74*l*. 12*s*. 6*d*. and *Samuel Wilson* and *John Hodges* 42*l*. 17*s*. And he delivered the same in at the bar, and then withdrew.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of the prisoners now in the publick jail, praying that some mode may be adopted for bringing them to a speedy trial, and that in the mean time the petitioners may be furnished with clothing and blankets, is reasonable.

*Resolved*, That the petition of *James Hunter*, praying that he may be allowed to build proper houses for the reception of naval stores on the lot of land whereon *Cave's* warehouses, in the county of *Stafford*, now stand, or appropriate the said warehouses for that purpose, paying a certain rent for the same, be rejected.

*Resolved*, That the petition of the committee of the county of *Dunmore*, praying that Quakers and Menonists may be compelled to attend private and general musters, or pay a certain sum annually in lieu of such attendance, is reasonable.



*Resolved*, That the proposition of the court-martial in the county of *Prince William*, praying that militia-men may be exempted from the payment of fines for not providing arms, be rejected.

*Ordered*, That leave be given to bring in a bill *To amend the several ordinances relating to the training of the militia, and for reducing the same into one act*; and that Mr. *Braxton*, Mr. *Campbell*, Mr. *Henry*, Mr. *Griffin*, and Mr. *Fleming*, do prepare and bring in the same.

*Ordered*, That it be an instruction to the said committee that they receive a clause, or clauses, pursuant to the third resolution.

*Ordered*, That the Committee of Propositions and Grievances do prepare and bring in a bill *For adopting some mode for the speedy trial of the prisoners confined in the publick jail*; and that the keeper of the said jail do in the mean time procure, at the publick expense, necessary clothing and blankets for the said prisoners, agreeable to the first resolution.

*Resolved*, That this House will on *Tuesday* next proceed by ballot to the appointment of field officers to command the six additional battalions of infantry to be raised on the continental establishment, and that Mr. *Lee* do acquaint the Senate therewith.

A bill *To enable the late sheriffs of those counties to act which have not recommended sheriffs, until new sheriffs can be recommended and qualified*, was read the second time, and ordered to be committed to Mr. *Bullitt*, Mr. *Gordon*, Mr. *Faulcon*, and Mr. *Talbot*.

*Ordered*, That the Speaker be desired to write to *George Wythe*, Esq. acquainting him with his appointment to be one of the committee for the revision of the laws, and desiring to know if it will be most agreeable to him to return and accept the said appointment, or remain at Congress.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees in this Commonwealth*, for the House to resolve itself into a committee upon the state of the country, and the order for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

FRIDAY, November 8, 1776.

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding on the petitions of *Daniel Sanford*, *Kemp Whiting*, *Nathaniel Littleton Savage*, *Daniel Marchant*, *Etisha Marchant*, *Henry Powell*, *Philip Peed*, *Joseph Shipley*, *John Shipley*, *Ralph Shipley*, and of the inhabitants of *Tyger's Valley*, and that the said several petitions be referred to the Committee upon the State of the Country.

A petition of *William M'Farlin* was presented to the House, and read; setting forth, that he was employed in the service of the country on the expedition against the *Indians* in the year 1774, and has received no satisfaction for the same, and praying that he may be paid for his said services.

Also a petition of *Andrew Waggoner*, setting forth, that he was employed by the commanding officer at *Fort Pitt* as an express with despatches to the Committee of Safety; that he rode a valuable horse of his own as far as the county of *Spotsylvania*, where he failed, in consequence of which he was obliged to hire another horse, valued at 30*l*. which horse on his return died; that the person of whom he hired the said horse obliged him to pay the said sum of 30*l*. before he would deliver to the petitioner his own horse, which he had left in his custody, and praying the said sum of money may be allowed him by the publick.

Also a petition of *Benjamin Peck*, setting forth, that he owned a boat of the value of 6*l*. which lay on a creek near the salt works in the county of *Accomack*, which the negroes employed in that service used as a ferry boat to pass and repass to and from their respective homes, by which there was a saving to the country in the articles of washing and diet, more than the value of the said boat; that about the time of their being discharged from the salt works the said boat went adrift; and was lost; and praying such relief as shall be judged reasonable.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the county of *Culpeper*, setting forth, that the fees of the clerks of the General and several County Courts in this Commonwealth are exorbitant, and praying that the same may be reduced, and the clerks obliged to reside in their respective counties.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill *To empower the justices of the county of Norfolk to hold courts at such place as they may appoint*; and that Mr. *Wilson*, Mr. *Robinson*, and Mr. *Godfrey*, do prepare and bring in the same.

A bill *For altering the rates of the copper coin of this Commonwealth*, was read the second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will on *Tuesday* next resolve itself into a committee on the said bill.

A message from the Senate by Mr. Holt.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for farther continuing the act intituled An act to make provision for the support and maintenance of ideots, lunaticks, and other persons of unsound minds*; and he delivered the same in at the bar, and then withdrew.

Ordered, That Mr. Page of *Spotsylvania* have leave to be absent from the service of this House until *Monday* next.

The House, according to the order of the day, resolved itself into a committee on the state of the country; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Treasurer reported, that the committee had, according to order, had under their farther consideration the state of the country, and had come to several resolutions thereupon, which he was ready to report when the House should be pleased to receive the same.

Ordered, That the said report be received to-morrow.

Resolved, That this House will to-morrow again resolve itself into a committee to take into their farther consideration the state of the country.

A memorial of a considerable number of the clergy of the established church of *Virginia* was presented to the House, and read; setting forth, that having understood various petitions have been presented to the Assembly, praying the abolition of the established church in this State, wish to represent, that when they undertook the charge of parishes in *Virginia*, they depended on the publick faith for the receiving that recompense for their services, during life, or good behaviour, which the laws of the land promised, a tenure which to them appears of the same sacred nature as that by which every man in the State holds, and has secured to him, his private property, and that such of them as are not yet provided for, entered into holy orders expecting to receive the several emoluments which such religious establishment offered; that from the nature of their education they are precluded from gaining a tolerable subsistence in any other way of life, and that therefore they think it would be inconsistent with justice either to deprive the present incumbents of parishes of any right or profits they hold or enjoy, or to cut off from such as are now in orders and unbefitted, those expectations which originated from the laws of the land, and which have been the means of disqualifying them for any other profession or way of life; also, that though they are far from favouring encroachments on the religious rights of any sect or denomination of men, yet they conceive that a religious establishment in a State is conducive to its peace and happiness, they think the opinions of mankind have a very considerable influence over their practice, and that it therefore cannot be improper for the legislative body of a State to consider how such opinions as are most consonant to reason, and of the best efficacy in human affairs, may be propagated and supported; that they are of opinion the doctrines of Christianity have a greater tendency to produce virtue amongst men than any human laws or institutions, and that these can be best taught and preserved in their purity in an established church, which gives encouragement to men to study and acquire a competent knowledge of the scriptures; and they think that if these great purposes can be answered by a religious establishment, the hardships which such a regulation might impose on individuals, or even bodies of men, ought not to be considered; also, that whilst they are fully persuaded of the good effects of religious establishments in general, they are more particularly convinced of the excellency of the religious establishment which has hitherto subsisted in this State; that they ground their conviction on the experience of 150 years, during which period order and internal tranquillity, true piety and virtue, have more prevailed than in most other parts of the world, and on the mild and tolerating spirit of the church established, which with all Christian charity and benevolence has regarded dissenters of every denomination, and has shewn no disposition to restrain them in the exercise of their religion; that it appears to them that the mildness of the church establishment has heretofore been acknowledged by those very dissenters who now aim at its ruin, many of whom emigrated from other countries to settle in this, from motives, as they reasonably suppose, of interest and happiness; that they apprehend many bad consequences from abolishing the church establishment; that they cannot suppose, should all denominations of Christians be placed upon a level, that this equality will continue, or that no attempt will be made by any sect for the superiority, and that they foresee much confusion, probably civil commotions, will attend the contest; that they also dread the ascendancy of that religion which permits its professors to threaten destruction to the Commonwealth, in order to serve their own private ends; that though the justice and expediency of continuing the church establishment is a matter of which they themselves have no doubt, yet they wish that the final determination of this House be deferred till the general sentiments of the good people of this Commonwealth can be collected, as they have the best reasons to believe that a majority of them desire to see the church establishment continued; and that as the sentiments of the people have been attended to in other instances, they submit it to the consideration of the House, whether some regard should not be paid to their sentiments in a matter which so nearly concerns them as that of religion.

Ordered, That the said petition be referred to the Committee for Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For declaring what shall be treason*,—*To establish the places of holding courts in the counties of Pittsylvania and Henry*, and the order for a call of the House, being read,

Ordered, That the same be put off till to-morrow.

A petition of *William Hudgins, Philip Peed, Robert Parrot, John Shipley, Ralph Shipley, Mary Hudgins, Joseph Shipley, Anne Longest, Humphrey Billups, Elisha Marchant, Thomas Window, John Window*, and



*Daniel Marchant*, was presented to the House, and read; setting forth, that they have sustained considerable damage by the seventh regiment, and have had their corn fields, potato and cotton patches, entirely destroyed, by which means they are deprived of every necessary of life, and praying such relief as this House shall think just and reasonable.

*Ordered*, That the said petition be referred to the committee of the whole House on the state of the country.

A claim of *Daniel Morgan*, for sundry articles due to him on account of the expedition against the *Indians* in the year 1774, and not allowed by the commissioners, was presented to the House, read, and ordered to be referred to the committee to whom the report of *John Harvie*, gentleman, was referred.

The House took into consideration the report of the committee to whom it was referred at the last Convention to inquire into and report the property of the sloop *Agatha*; and the said report, together with the resolutions thereon, being read,

On a motion made,

*Resolved*, That this House do agree with the said committee in the report and resolutions, so far as the same relate to the said sloop *Agatha*.

Adjourned till to-morrow, 10 o'clock.

### SATURDAY, November 9, 1776.

A memorial from the committee for *Augusta* county was presented to the House, and read; setting forth, that there is nothing more necessary in the present struggle for the liberties of *America* than an union of the minds and strength of its inhabitants, and they conceive themselves and their constituents, who, as well as most of the inhabitants on the western frontiers, are dissenters, to be aggrieved by being obliged to contribute to the support of the established church, at the same time that they support ministers of their own persuasion; that they consider this as an unequal burthen, inconsistent with the spirit of taxation, which supposes those on whom impositions are laid to be benefitted thereby; that such partial discriminations tend to imbitter the minds of those who are thus imposed upon, and to create discords, ever attendant on such unequal treatment; and praying such speedy and immediate relief as may best correspond with Christian liberty, and those noble sentiments which should animate every virtuous *American*.

*Ordered*, That the said petition be referred to the committee of the whole House upon the state of the country.

*Ordered*, That leave be given to bring in a bill *To establish warehouses at the head of Potowmack creek, for the reception of military stores*; and that *Mr. Carter*, *Mr. Brent*, and *Mr. Fitzhugh*, do prepare and bring in the same.

*Ordered*, That the Committee of Publick Claims be discharged from proceeding on the petition of *Champion Travis*, and that the same be referred to the Committee upon the State of the Country.

*Ordered*, That the Committee for Religion be discharged from proceeding on the petitions of several religious societies, and that the same be referred to the committee of the whole House upon the state of the country.

The House being informed that *Mr. Winn* attended in custody of the Serjeant at Arms,

*Ordered*, That he be discharged, and admitted to his seat in this House, on paying fees.

*Mr. Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as follows:

*Resolved*, That the petition of *Philip Pendleton* and *James Myler*, inspectors of tobacco at *Walkerton* warehouse, praying to be allowed for a hogshhead of tobacco stolen thereout, be rejected, the said warehouse being at that time insufficient.

*Resolved*, That the petition of *Richard Hewitt* and *Elias Hore*, inspectors of tobacco at *Aquia* warehouse, praying to be allowed for nine hogshheads of tobacco said to have been damaged by the great fresh in May, 1771, be rejected, it appearing that great part, if not the whole of the said tobacco, has been received into the said warehouse since that time.

*Resolved*, That the petition of *Daniel Lawson* and *George Garland*, late inspectors at *Totuskey* warehouse, praying to be allowed for a hogshhead of tobacco supposed to have been stolen thereout, be rejected for want of sufficient proof.

*Resolved*, That the petition of *Elizabeth Brown*, whose husband *Coleman Brown* enlisted with captain *Morgan* to go on the expedition against the *Ohio Indians* in the year 1774, and was killed by them, leaving the petitioner, with two small children, in distressed circumstances, and praying relief, is reasonable; and that the said petitioner be allowed the sum of 20*l*. for the present support of herself and children, and as a compensation for the loss of the rifle in the said petition mentioned.

*Resolved*, That the petition of *Samuel Boush* and *Goodrich Boush*, executors of *Samuel Boush*, deceased, praying to be allowed for *Cuffey*, a negro man slave, belonging to the said estate, who had run away from his master, was driven on shore in a tender belonging to lord *Dunmore*, taken by our guards and sent to *Williamsburg* for trial, and upon inquiry it appeared that he had not been seen to have borne arms, or been active in lord *Dunmore's* service, as was suspected, and therefore was to have been delivered to his owner, agreeable to the resolution of Convention, but before the petitioners had notice thereof the said slave died, be rejected.



*Resolved*, That the petition of *Arthur Boush*, praying to be allowed for his negro man slave *Harry*, who was taken in arms in lord *Dunmore's* service against this country, by our troops, and sent to *Williamsburg* for trial, and died during his confinement, is reasonable; and that the petitioner ought to be allowed 65*l.* for the said slave, it being the sum to which he was valued.

On consideration of the petition of *Samuel Boush*, it appears to your committee, that the slave *Mercury*, in the said petition mentioned, was taken up and delivered to colonel *Charles Scott*, and before a court of inquiry, by the said *Scott*, and other officers, then present, appeared, from his own confession, and the testimony of sundry witnesses who were examined upon the occasion, to have been a volunteer in captain *Cunningham's* company, and had been seen in arms against this country, and therefore was by the said court ordered to *Williamsburg* for trial; that the said slave *Mercury* was, together with many others who had been active under lord *Dunmore*, or borne arms in his service, sentenced to be transported to the foreign *West Indies*, or the *Bay of Honduras*, and sold, but before the Committee of Safety had an opportunity of complying with the resolution of the Convention thereupon, the said slave died of the jail fever.

*Resolved, therefore*, That the said petition is reasonable; and that the petitioner ought to be allowed 55*l.* for the said slave, it being the sum to which he was valued.

*Resolved*, That the petition of *Joel Cornick*, junior, *Thomas Banks*, *Lemuel Cornick*, and *William Haynes*, praying to be allowed for their slaves in the said petition mentioned, who had been taken by our troops at the *Great Bridge* in lord *Dunmore's* service, and sent to *Williamsburg* for trial, and by order of the Committee of Safety, were put on board a vessel commanded by captain *John Dixon*, in order to have been transported to the *West Indies* and sold, which said vessel was taken by a *British* ship of war, is reasonable; and that the said *Joel Cornick* be allowed for his slave *Harry* the sum of 74*l.* 12*s.* 6*d.* being the balance, after deducting out of his value the expense for transportation, which amounts to 10*l.* 7*s.* 6*d.*; that the said *Thomas Banks* ought to be allowed for his slave *Jemmy* 42*l.* 5*s.* being the balance, after deducting out of his value the sum of 7*l.* 15*s.* the expense for transportation; that the said *Lemuel Cornick* be allowed for his slave *Romeo* 46*l.* 17*s.* 6*d.* being the balance, after deducting out of his value the sum of 8*l.* 2*s.* 6*d.* the expense for transportation; and that the said *William Haynes* be allowed for his slave *Europe* 60*l.* 15*s.* being the balance, after deducting out of his value the sum of 9*l.* 5*s.* the expense for transportation.

*Resolved*, That the petition of *Jacob Keeling*, praying to be allowed for his slaves *Lewis* and *Bob*, in the said petition mentioned, who had been taken by our troops at the *Great Bridge*, in lord *Dunmore's* service, and sent to *Williamsburg* for trial, and by order of the Committee of Safety were put on board a vessel commanded by captain *John Dixon*, in order to have been transported to the *West Indies* and sold, which said vessel was taken by the enemy, is reasonable, and that the petitioner be allowed for the said slaves the sum of 112*l.* 5*s.* being the balance, after deducting out of their value the sum of 17*l.* 15*s.* the expense for transportation.

The 1st, 2d, 4th, 5th, 6th, 7th, 8th, and 9th resolutions of the committee, being severally read a second time, were, on the question put thereon, agreed to by the House.

*Ordered*, That Mr. *Lee* do carry the 4th, 6th, 7th, 8th, and 9th resolutions to the Senate, for their concurrence.

The 3d resolution of the committee being also read a second time, was, on the question put thereon, ordered to be re-committed to the said committee.

Mr. *Wilson*, from the committee appointed, presented, according to order, a bill *To empower the justices of the county of Norfolk to hold courts at such place as they shall appoint*; which was read the first time; and ordered to be read a second time.

Mr. *Braxton*, from the committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of divers inhabitants of the county of *Cumberland*, praying that the said county may be divided, agreeable to the lines which divide the two parishes, is reasonable.

*Resolved*, That the petition of the executors of *John Bowdoin*, deceased, praying that the negro slaves *Reuben* and *James*, who were employed, under a resolution of Convention, in the lead mines, may be returned, and the hire due for them paid to the petitioners, is reasonable.

*Resolved*, That the petition of *David Davies*, praying that the sum of 500*l.* may be advanced, to enable him to erect proper works for carrying on a linen and woollen manufactory, be rejected.

*Ordered*, That the Committee of Propositions and Grievances do prepare and bring in a bill pursuant to the first resolution: and that the Governour be desired to take proper measures for the delivery of the slaves *Reuben* and *James* to the executors of *John Bowdoin*, deceased, in the county of *Northampton*, pursuant to the second resolution.

An engrossed bill, *To revive the late laws relating to the inspection of tobacco, with amendments*, was read a third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that the title be, *A bill for reviving several publick warehouses for the reception of tobacco, and other purposes*; and that Mr. *Braxton* carry the same to the Senate, for their concurrence.

Mr. *Treasurer*, from the committee of the whole House, reported, that the committee had, according to order, had under their consideration the state of the country, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as follows:

*Resolved*, That the harbours of *Portsmouth*, on *Elizabeth* river, of *Cherrystones*, in the county of *Northampton*, and of *Hampton*, ought to be fortified with such works as will render them secure from the enemy's vessels of war.

*Resolved*, That such posts on the river *York* which by proper works may be rendered capable of stopping the passage of the enemy's vessels of war up the said river ought also to be fortified with such works as may effect that purpose; and that the same, as well as the works at *Portsmouth*, should be made capable of being defended on the land side also, until aid from the country may be procured.

*Resolved*, That two frigates, to carry thirty twelve pounders each, and two galleys fit for river or sea service, to carry four twenty-four pounders and fourteen nine pounders, be immediately built for the defence of this country.

*Resolved*, That necessary manufactories of cordage and duck be immediately set up at the publick expense, in order to establish within ourselves certain resources for those necessary articles.

*Resolved*, That nineteen hundred men, with their proper officers, should be immediately raised for the purpose of garrisoning the said forts, and that four additional companies of marines should also be raised, subject to do duty either by sea or land.

*Resolved*, That for paying the expenses of erecting the said fortifications, building and equipping the said vessels, establishing the said manufactories, raising, paying, and subsisting, for one year, the marines now in the service of this Commonwealth, and those to be raised, the infantry aforesaid and the seamen necessary for the said vessels, and for discharging the publick debts incurred the last year, and defraying the expenses of the civil establishment for the year to come, there ought to be emitted a sum of money not exceeding 300,000*l*. in treasury notes of dollars and parts of a dollar, to be redeemed at certain periods by taxes to be imposed for that purpose.

*Resolved*, That instructions be sent to our delegates in General Congress to propose to Congress the defraying out of the continental treasury the expenses of the expedition against the southern *Indians*; an expedition which, it is conceived, should be a continental charge, and to procure necessary supplies of money to be sent hither for that purpose.

*Resolved*, That the five companies of riflemen heretofore raised in this Commonwealth by the Congress, and now at *New York*, be joined to five of the companies directed to be enlisted pursuant to an act of this present General Assembly, and considered as part of the quota to be furnished by this Commonwealth; and that a like number of companies, to be raised in this Commonwealth under the said act of Assembly, be taken into the service and pay of this Commonwealth, and considered as composing a part of the troops to be raised for the better security and defence of the same.

*Resolved*, That instructions be given to our delegates in General Congress to propose to Congress that two of the six additional battalions of infantry lately ordered to be raised in this Commonwealth for the continental defence may be stationed on the *Ohio*, for the defence of our western frontiers, and that the said two battalions may be of those consisting of men to be raised in that part of the country.

The 1st, 2d, 3d, and 4th resolutions of the committee, being severally read a second time, were, on the question put thereon, agreed to by the House.

*Ordered*, That the farther consideration of the said report be postponed till *Monday* next.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, on the bills *Declaring slaves to be personal estate*,—*For establishing the places of holding courts in the counties of Pittsylvania and Henry*,—*For declaring what shall be treason*,—*For dissolving the several county and corporation committees within this Commonwealth*, and the order for a call of the House, being read,

*Ordered*, That the same be put off till *Monday* next.

Adjourned till *Monday*, 10 o'clock.

## MONDAY, November 11, 1776.

The House being informed that Mr. *George Mason* attended in custody of the serjeant at arms, and that he had good cause for his absence when the House was called over on the 2d instant,

On a motion made,

*Ordered*, That he be discharged from custody, and admitted to his seat in this House, without paying fees.

Mr. *Faulcon*, from the committee to whom the bill *To enable the late sheriffs of those counties to act which have not recommended sheriffs, until new sheriffs can be recommended and qualified*, was referred, reported, that the committee had, according to order, had under their consideration the said bill, and had gone through the same, and made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. *Carter*, from the committee appointed, presented, according to order, a bill *To establish publick storehouses at the head of Potowmack creek for the reception of naval stores*; which was read the first time, and ordered to be read a second time.

*Ordered*, That Mr. *Watts* have leave to be absent from the service of this House until this day fortnight.



Mr. Treasurer, according to the order of the 28th of *October*, reported the amendment made by the committee of the whole House to the bill *For the naturalization of foreigners*; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and ordered to be re-committed to the said committee.

*Resolved*, That this House will to-morrow resolve itself into a committee on the said bill.

A message from the Senate by Mr. *Henry Lec*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House allowing *John M'Guire* and *Charles Porterfield* soldiers pay from the 22d of *June*, 1775, to the 1st of *November*, 1776, amounting to 37l. 5s. 6d. each, also the farther sum of 25l. each, to reimburse them their expenses, and as an acknowledgment of their great merit, and compensation for their extraordinary fatigue and hardship in a long and painful march to *Quebeck*, and irksome captivity there, and for being prevented by their confinement of that advantage which other cadets have had of rising in the army, and for making application to Congress to reimburse this State the sum of 66l. 5s. 4d. the amount of the pay of the said *John M'Guire* and *Charles Porterfield*; and he delivered the same in at the bar, and then withdrew.

The House being informed that Mr. *Banister* and Mr. *Johnson* attended in custody of the serjeant at arms, and had good cause for their absence when the House was called over on the second instant,

*Ordered*, That they be discharged from custody, and admitted to their seats in this House, without paying fees.

*Ordered*, That Mr. *Mayo* and Mr. *Robinson* have leave to be absent from the service of this House until *Tuesday* fortnight.

The House proceeded to nominate the several persons to be ballotted for as field officers to command the six additional battalions of infantry to be raised on the continental establishment, and several persons were nominated as proper to be ballotted for.

*Ordered*, That Mr. *Starke* do carry a list of the persons so nominated to the Senate, and desire they will lay before this House a list of the persons who shall be nominated in their House, and to inform them that this House propose balloting for six of the said officers at a time, and that the precedence of the officers elected be settled by the number of votes each shall have, which mode of election they hope will be approved of by the Senate.

A petition of *Adam Smyth*, rector of the parish of *Botetourt*, was presented to the House, and read; setting forth, that he has been three years and a half rector of the said parish, and has not yet received one full year's salary; that, from the inattention of the vestry, the affairs of the parish have been entirely neglected for the last two years; that it is with great reluctance he makes application to this House, but that the present times leave him no other resource, and that his private circumstances are really pressing; and therefore praying the state of the said parish may be taken into consideration.

*Ordered*, That the said petition be referred to the committee of the whole House on the state of the country.

*Ordered*, That no petition or proposition be received in this House after *Monday* next.

Mr. *Jefferson*, from the committee appointed, presented, according to the order of *October* the 14th, a bill *For the removal of the seat of government*; which was read the first time, and on the question put that the said bill be read a second time, it passed in the negative.

*Resolved*, That the said bill be rejected.

Mr. *Francis Eppes*, the serjeant at arms, being too much indisposed to attend his duty in this House, it is ordered that his son, Mr. *Freeman Eppes*, be permitted to officiate in his stead during his indisposition.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For declaring what shall be treason*,—*For establishing the places of holding courts in the counties of Pittsylvania and Henry*, the order for a call of the House, and for the farther consideration of the report from the committee of the whole House upon the state of the country, made on *Saturday* last, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

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## TUESDAY, November 12, 1776.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration a petition of divers inhabitants of the county of *Mecklenburg*, setting forth, that the vestry of *St. James's* parish, in the said county, proceeded to lay the levy in money without giving the parishioners the alternative of paying tobacco, and praying relief; and had come to the following resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to

*Resolved*, That the said petition is reasonable.

*Ordered*, That the said committee do prepare and bring in a bill pursuant to the said resolution.

A petition of *William Emery* was presented to the House, and read; setting forth, that in *November*, 1775, when the troops were ordered to *Norfolk*, his ferry boat was impressed to assist the troops in crossing *James* river:



that while the said boat was employed in that service she was taken and destroyed by a tender belonging to the *Kin-fisher* sloop of war, then lying opposite to *Jamestown*, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said petition be referred to the committee of the whole House upon the state of the country.

A message from the Senate by Mr. *Carrington*.

MR. SPEAKER,

I am directed by the Senate to lay before this House a list of the persons who have been nominated by them as proper to be ballotted for to command the six additional battalions of infantry.

The Senate do approve of the mode proposed by the House of Delegates of balloting for the field officers of the six additional battalions of infantry, and request, that, if in the course of balloting, any gentleman should be withdrawn in the House of Delegates, they acquaint the Senate therewith, and the Senate will do the same. The Senate do disagree to the latter part of the resolution, which relates to fixing the precedence of the officers, as they conceive it interferes with the power given by the act to the Governor.

The said message being taken into consideration,

*Resolved*, That an immediate free conference be desired with the Senate on the subject-matter of their disagreement to the latter part of the resolution of this House, relating to the effect of balloting for the officers of the six additional battalions; and that Mr. Treasurer do go to the Senate, and request such free conference.

A message from the Senate by Mr. *Carrington*.

MR. SPEAKER,

The Senate, equally desirous with the House of Delegates to preserve harmony between the two branches of the Legislature, have agreed to the free conference desired by this House on the subject-matter of their resolution for fixing the precedence of the officers for the new battalions by the ballot, to which the Senate had disagreed. They have appointed three of their members managers at such conference, who were ready in the conference room to meet such members as should be appointed by this House.

*Ordered*, That Mr. Treasurer, Mr. *Jefferson*, Mr. *Griffin*, Mr. *Bullitt*, Mr. *Starke*, and Mr. *Banister*, be the managers at the said conference on the part of this House; and they immediately withdrew.

Mr. Treasurer reported, that the managers appointed by this House had met those of the Senate in the conference room, and had freely discussed the subject-matter of the conference; after which the managers from the Senate retired, promising to report what had passed to the Senate, and that the result of their farther deliberation thereupon should be communicated by message to this House.

A message from the Senate by Mr. *Elzey*.

MR. SPEAKER,

The Senate do recede from their disagreement to the mode proposed by the House of Delegates of fixing the precedence of the field officers of the six additional battalions of infantry.

The House, according to the order of the day, being about to ballot for the field officers to command the said six battalions of infantry, several other gentlemen were named as proper persons to be ballotted for.

*Ordered*, That Mr. *Starke* do carry a list of the persons so nominated to the Senate.

The House then proceeded to ballot for the said field officers; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot box, Mr. *Jefferson*, Mr. *Starke*, Mr. *Prentiss*, and Mr. *Richard Cary*, were appointed a committee to meet a committee to be appointed by the Senate, and jointly with them to examine the ballot boxes, and report to the House upon whom the majority fell.

*Ordered*, That Mr. *Jefferson* do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot boxes, and that the majority was in favour of *Edward Stevens*, *Daniel Morgan*, *James Wood*, *Samuel Meredith*, *Charles Lewis*, and *David Mason*, Esquires.

*Resolved*, therefore, That the said *Edward Stevens*, *Daniel Morgan*, *James Wood*, *Samuel Meredith*, *Charles Lewis*, and *David Mason*, be appointed colonels of the six additional battalions of infantry to be raised on the continental establishment, to take rank according to the order of their said nomination.

*Ordered*, That the farther appointment of officers be put off till to-morrow.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of *Isaac Smith*, praying that the sum of 63*l*. 16*s*. halfpenny due to him from lord *Dunmore*, might be paid out of his effects in this State, in proportion with his other creditors, is reasonable.

*Resolved*, That the petition of *Joseph Jones*, *Joshua Campbell*, *James Ferebee*, and *William Burgess*, praying that the sum of 962*l*. 3*s*. 6*d*. North Carolina currency, due to them from *John Goodrich* the elder, may be paid out of his effects in this country, after the demands of this State against the said *Goodrich* are fully settled and paid, is reasonable.

*Ordered*, That Mr. *Braxton* do carry the said resolutions to the Senate for their concurrence.

*Ordered*, That it be an instruction to the committee to whom the bill *For dividing the county of Fincastle* is committed, that they receive a clause, or clauses, for dividing the parish of *Botetourt* into four distinct parishes.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, prepared bills *For altering the place of holding courts in the county of Halifax,—For appointing commissioners of Oyer and Terminer for the trial of criminals now in the publick jail, and for dividing the county of Cumberland into two distinct counties;* and he delivered the said bills in at the table, where they were read the first time, and ordered to be read a second time.

A petition of *Hezekiah Holliday* was presented to the House, and read; setting forth, that some time in the month of *January* last his negro man slave *Dick* went on board lord *Dunmore's* fleet, then lying in *Elizabeth river*, and about the month of *March* last the said slave was sent with other negroes, and a white man, to the *Ragged Islands* in the county of *Isle of Wight*, to get stock; but that the guard stationed at that place prevented them and took the said negro *Dick*, who was sent to *Williamsburg*, and by order of the Committee of Safety conveyed to the lead mines, where he is now employed, and praying that the said slave may be returned, with his hire, or the value of him paid.

Also a petition of *John Mayo*, setting forth, that some time last fall a valuable negro fellow run away from his overseer, and was afterwards taken up in the neighbourhood of *Norfolk*, and put in the jail of that town; that the said jail having been burnt soon afterwards, the negro aforesaid was put in the guardhouse, and there kept till lord *Dunmore* began hostilities, at which time all the negroes confined in the said guardhouse, who were found to belong to friends of this country, were demanded by his lordship as confiscated, and those who were found to belong to persons inimical to the country, delivered to them, in consequence of which he has lost the said slave, and praying such allowance for the same as shall be thought just and reasonable.

Ordered, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *John Pinkney* was presented to the House, and read; setting forth, that his garden pales, about the middle of last winter, were entirely demolished by the soldiers stationed at a house just below them; that on his remonstrating with them on the cruelty of their conduct, they returned for answer, that necessity drove them to it, as they could not at that time procure wood from the country; that he applied to the commander of the forces for redress, as also to colonel *Christian*, both of whom gave him notes to a carpenter to have his garden again done up, but shortly after, considering there might be some impropriety in their giving such authority, they advised him to let the garden remain as it was, and referred him to this House for redress.

Ordered, That the said petition be referred to the committee of the whole House upon the state of the country.

A petition of *Frederick Woolford* was presented to the House, and read; setting forth, that he keeps a publick house in the town of *Woodstock*, in the county of *Dunmore*, and that several soldiers belonging to col. *Muhlenburg's* regiment were billeted at his house; that he constantly supplied them with three meals a day, and delivered in his account to Mr. *Edward Sniggers*, who would allow him only sixpence per day for each man, by which he will be greatly loser, and praying such farther allowance as shall be thought just and reasonable.

Also a claim of the committee of *Henrico* county, for sundry repairs done to the church at *Richmond*, in order to accommodate the Convention in *July*, 1775.

Ordered, That the said petition and claim be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

An engrossed bill *To enable the late sheriffs of those counties to act which have not recommended sheriffs, until new sheriffs can be recommended and qualified*, was read the third time.

Resolved, That the said bill do pass, and that the title be, *An act to enable the late sheriffs of those counties which have not recommended sheriffs to act, until others can be recommended and qualified.*

Ordered, That Mr. *Faulcon* do carry the said bill to the Senate for their concurrence.

Ordered, That Mr. *Henry Taylor* have leave to be absent from the service of this House until the 15th of *December* next.

Ordered, That Mr. *Mason* be added to the committee to whom the letter and other papers from the delegates appointed to represent this State in General Congress, on the subject of the disputed boundary between this country and the State of *Pennsylvania*, was referred, and to the committee appointed to bring in a bill *For the establishment of courts of justice.*

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *Declaring slaves to be personal estate,—For dissolving the several county and corporation committees within this Commonwealth,—For declaring what shall be treason,—For establishing the places of holding courts in the counties of Pittsylvania and Henry,—For altering the rates of the copper coin of this Commonwealth,—For the naturalization of foreigners.* for the farther consideration of the report from the committee of the whole House upon the state of the country, made on *Saturday* last, and the order for a call of the House, being read,

Ordered, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.



WEDNESDAY, November 13, 1776.

*Ordered*, That Mr. *Richard Cary* have leave to be absent from the service of this House until *Monday* next, Mr. *Adams* till *Tuesday*, and Mr. *Coleman* until *Monday* se'nnight.

On a motion made, and the question put, whether Mr. *James Wood* had a right to sit and vote in this House as a member for the county of *Frederick*, after his election yesterday to be colonel of one of the six additional battalions of infantry to be raised on the continental establishment,

*Resolved*, That the said Mr. *Wood* hath a right to continue to sit and vote until he shall accept of a commission according to the said election.

*Ordered*, That Mr. *Starke* do carry to the Senate a list of the persons who were yesterday candidates for colonels commissions, and decline offering for those of a lieutenant-colonel.

The House then proceeded, according to the order of the day, to ballot for lieutenant-colonels of the six additional battalions; and the members having prepared tickets for the persons to be appointed, and put the same into the ballot box, Mr. *Jefferson*, Mr. *Starke*, Mr. *Prentis*, and Mr. *Richard Cary*, were appointed a committee to meet a committee to be appointed by the Senate, and jointly with them to examine the ballot boxes, and report to the House upon whom the majority fell.

*Ordered*, That Mr. *Jefferson* do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot boxes, and that the majority was in favour of *Christian Febiger*, *John Gibson*, *Lewis Willis*, *John Neaville*, *Richard Kidder Meade*, and *James Innis*, Esquires.

*Resolved*, therefore, That the said *Christian Febiger*, *John Gibson*, *Lewis Willis*, *John Neaville*, *Richard Kidder Meade*, and *James Innis*, be appointed lieutenant-colonels of the six additional battalions of infantry to be raised on the continental establishment, to take rank according to the order of their said nomination.

The House proceeded in the same manner to the appointment of majors to the said six additional battalions of infantry, and it appearing, from the report of the committee, that the majority was in favour of *William Heath*, *Abraham Buford*, *Charles Simms*, *George Lyne*, *George Nicholas*, and *Holt Richeson*, Esquires.

*Resolved*, therefore, That the said *William Heath*, *Abraham Buford*, *Charles Simms*, *George Lyne*, *George Nicholas*, and *Holt Richeson*, be appointed majors of the six additional battalions of infantry to be raised on the continental establishment, to take rank according to the order of their said nomination.

A message from the Senate by Mr. *Holt*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to enable the late sheriffs of those counties which have not recommended sheriffs to act, until others can be recommended and qualified*, with an amendment, to which they desire the concurrence of this House.

And the said amendment being twice read, was, upon the question put thereupon, agreed to by the House.

*Ordered*, That Mr. *Faulcon* do carry the bill to the Senate, and acquaint them that this House hath agreed to the amendment proposed by them.

Mr. *Bullitt*, from the committee appointed, presented, according to order, a bill *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*; which was read the first time, and ordered to be read a second time.

A bill *For appointing commissioners to dispose of the lands and slaves formerly purchased pursuant to an act intituled An act for encouraging the making wine*, was read a second time, and ordered to be committed to Mr. *Carter*, Mr. *Prentis*, and Mr. *Richard Cary*.

*Ordered*, That leave be given to bring in a bill *To amend an ordinance for establishing a Board of Commissioners to superintend and direct the naval affairs of this colony*, and that Mr. *Braxton* and Mr. *Jefferson* do prepare and bring in the same.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For declaring what shall be treason*,—*For establishing the places of holding courts in the counties of Pittsylvania and Henry*,—*For altering the rates of the copper coin of this Commonwealth*,—*For the naturalization of foreigners*, for the farther consideration of the report from the committee of the whole House upon the state of the country, made on *Saturday* last, and the order for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

*Ordered*, That Mr. *Page of Gloucester* have leave of absence from the service of this House, for the recovery of his health.

*Ordered*, That leave be given to bring in a bill *To restrain the operation of the acts for limitation of actions and recording deeds in certain cases*; and that Mr. *Henry*, Mr. *Braxton*, and Mr. *Jefferson*, do prepare and bring in the same.

Adjourned till to-morrow, 10 o'clock.



THURSDAY, November 14, 1776.

*Ordered*, That Mr. *Johnson*, and Mr. *Simpson* be added to the Committee of Publick Claims.

*Ordered*, That Mr. *Curle* have leave to be absent from the service of this House until *Monday* next, Mr. *Muse* until *Tuesday*, Mr. *Clayton* until *Wednesday*, and Mr. *Savage* for the remainder of the session.

A petition of the trustees of the town of *Manchester*, in the county of *Chesterfield*, was presented to the House, and read; setting forth, that when the said town was laid off the shore of the river on one side thereof, with a street or passage on the bank of the said river, was appropriated for the common use of the said town, for landings and the convenient passage of carriages, except a small lot at the ferry landing, since which several persons have erected houses on the said common, and others are threatening to do the same, by which the inhabitants are in danger of losing their common right in the said landing places and passage; that under the act of Assembly appointing them trustees of the said town they are doubtful as to their power of preventing the said encroachments, and therefore praying that an act may pass to empower the present trustees, or others to be appointed for that purpose, to remove the said buildings, and all other obstructions which may be erected in the said street or passage.

Also a petition of sundry inhabitants of the county of *Spotsylvania*, praying that an act may pass directing general musters to be held in the centre of the said county.

Also a petition of *William Savage*, setting forth, that being possessed of the brigantine *Success*, with her tackle and appurtenances, lying in the harbour of *Quantico*, *Foushee Tebbs*, gentleman, by order of col. *George Mason*, did by warrant take and impress for the use of the country all the sails belonging to the said vessel, by which he has lost several opportunities of employing the said vessel to great advantage, and praying such relief as shall be thought just and reasonable.

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *David Nowten* was presented to the House, and read; setting forth, that in the month of *August*, 1775, his horse was pressed by the sheriff of *Pittsylvania* county, to convey *Joseph Ray*, a criminal from the said county, to the publick jail in *Williamsburg*, which horse was appraised by two freeholders, according to law, to 14*l*. that the said horse was greatly injured in the service aforesaid, in so much that he was reduced to one half of the value aforesaid, and praying such relief as this House shall think just and reasonable.

*Ordered*, That the said petition be referred to the Committee of Publick Claims; that they inquire into the matter thereof, and report the same, with their opinion thereupon, to the House.

The House, according to the order of the day, resolved itself into a committee upon the bill *Declaring what shall be treason*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had gone through the same, and made several amendments thereto, which he was ready to report when the House should be pleased to receive the same.

*Ordered*, That the said report be received to-morrow.

A bill *To empower the justices of the county of Norfolk to hold courts at such place as they shall appoint, and for other purposes therein mentioned*, was read a second time, and ordered to be committed to Mr. *Curle*, Mr. *Wilson*, and Mr. *Godfrey*.

*Ordered*, That it be an instruction to the committee to whom the bill *To empower the justices of the county of Norfolk to hold courts at such place as they shall appoint, and for other purposes therein mentioned*, is committed, that they receive a clause, or clauses, to repeal so much of the ordinance directing the mode of electing delegates as relates to the borough of *Norfolk*, and for directing the manner and appointing the place for holding election of a delegate for the said borough.

A bill *For appointing commissioners of Oyer and Terminer for the trial of the criminals now in the publick jail*, was read the second time, and ordered to be committed to the committee of Propositions and Grievances.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees in this Commonwealth*,—*For establishing the places of holding courts in the counties of Pittsylvania and Henry*,—*For altering the rates of the copper coin of this Commonwealth*,—*For the naturalization of foreigners*, for the farther consideration of the report from the committee of the whole House upon the state of the country, made on *Saturday* last, and the order for a call of the House, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

FRIDAY, November 15, 1776.

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding upon the petition of *Lewis Burwell* the younger, and that it be referred to the committee of the whole House upon the state of the country.

*Ordered*, That Mr. Carter have leave to be absent from the service of this House until *Wednesday* next, and Mr. *Brazton*, Mr. *Lyne*, and Mr. *Edmondson*, until *Monday* se'night.

A memorial of *Turner Southall* was presented to the House, and read; setting forth, that on the 5th of *February* last the commanding officer of the *Virginia* forces sent him twenty-four prisoners with directions to provide for them on the cheapest terms, upon which he contracted with *Abraham Cowley* to victual them at one shilling per day each; that he provided guardhouses for the said prisoners, without any expense to the country; that he prevailed on the said *Cowley* to provide and furnish the said guardhouses with thirty-two cords of wood at 10s. a cord, without which the prisoners would have perished; and praying the sum of 16*l.* the price of the said wood, may be paid by the publick.

Also a petition of *William Trebell* and *William Moody*, executors of *Frederick Bryan*, deceased, setting forth, that lord *Dumore* is at this time indebted to the estate of their testator in the sum of 52*l.* 12*s.* and praying they may receive payment thereof out of his lordship's estate, in proportion with his other creditors.

Also a petition of *Robert Watkins*, setting forth, that he served on the *Indian* expedition in the year 1774, under the command of captain *Pauling*; that when he came to receive his pay, he was, through some mistake of his captain, allowed only forty-nine days' pay, when he was entitled to one hundred and ten, and praying to be allowed the difference, being sixty-one days' pay.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

A petition of sundry inhabitants of the counties of *Brunswick*, *Lunenburg*, and *Mecklenburg*, was presented to the House, and read; setting forth, that they have been informed that one of the funds established for sinking the paper currency emitted in consequence of the war with *Great Britain*, is a tax of four shillings on every hundred acres of land, by which persons possessing poor lands are obliged to contribute equally with the owners of rich lands, and praying that some equitable mode may be substituted, either by directing each person to pay in proportion to the value of the land he possesses, or by assessment on the real and personal property, according to their value, or by such other just mode as this House shall judge reasonable.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of the inhabitants of the town of *Alexandria* was presented to the House, and read; setting forth their defenceless situation; that the said town is accessible to ships of war under forty or fifty guns, and praying that they might be permitted to purchase, at the publick expense, sixteen iron cannon, *viz*: ten 18 pounders, and six 9 pounders, to be mounted on two substantial batteries which had been lately erected on advantageous situations in that town, and which are now completed, with proper embrasures for cannon, directly under which the channel of the river runs, so that no ship can pass at much more than a quarter of a mile's distance; and that they might also be allowed to purchase, in the same manner, two small forges for heating the nine pound shot, with a sufficient quantity of ordnance stores; and farther praying, that out of the two militia companies now in the said town there might be formed one artillery company, to consist of fifty matrosses, with the proper officers, to be duly exercised at the said batteries twice a week, and to receive only when on duty the same pay with other artillery companies; which petition had been presented to the Governour and Council, and by them referred to this House, as to so much thereof as relates to the militia companies proposed to be formed into an artillery company.

*Ordered*, That the said petition be referred to the Committee upon the State of the Country.

Mr. *Mason* delivered to the House the following letter of acknowledgment from lieutenant-colonel *Christian Febiger*, and major *William Heth*; which was read, and ordered to be inserted in the journals.

*To the Honourable the Speaker and Gentlemen of the General Assembly.*

Mr. *Febiger* and Mr. *Heth* beg leave to offer their sincere thanks to this Honourable House for so unanimous a voice in promoting them to the ranks of lieutenant-colonel and major in the new battalions to be raised in this Commonwealth, and to assure this honourable body they shall ever entertain a proper sense of the honour done them; but as the peculiarity and delicacy of their situation will neither admit of their immediate acceptance, or allow them to acknowledge themselves in such terms as they would wish to use, they can only say, that whenever they are at liberty to accept of their appointments, and once more step forth in defence of their bleeding and much injured country, their utmost abilities, and warmest endeavours, shall ever be fully exerted in preserving that honour which the *Virginians* have, in every instance, during the present contest, most justly acquired.

CHRISTIAN FEBIGER.  
WILLIAM HETH.

The House, according to the order of the day, resolved itself into a committee upon the state of the country; and after some time spent therein, Mr. *Speaker* resumed the Chair, and Mr. *Brazton* reported, that the committee had, according to order, had under their consideration the state of the country, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee to take into their farther consideration the state of the country.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For establishing the places of holding courts in the counties of Pittsylvania and Henry*,—*For altering the rates of*



*the copper coin of this Commonwealth,—For the naturalization of foreigners,* for the farther consideration of the report from the committee of the whole House upon the state of the country, made on *Saturday* last, the order for a call of the House, and the order for receiving the report from the committee of the whole House upon the bill *Declaring what shall be treason*, being read,

*Ordered*, That the same be put off till *Monday* next.

Adjourned till to-morrow, 10 o'clock.

## SATURDAY, November 16, 1776.

*Resolved*, That the Governour be desired to write to the Delegates from this State to the General Congress, informing them the General Assembly have, according to the requisition of Congress, passed an act for raising six additional battalions of infantry on the continental establishment; but that the progress of recruiting the said levies will be greatly impeded by the want of the bounty offered by Congress to the soldiers who shall enlist, as their paymaster here is unable to advance the same, and the present circumstances of our treasury will not admit of our giving assistance therein, as we would otherwise cheerfully do, and recommending that the money may be forwarded with the utmost expedition; and that they be desired to inform Congress this House are apprehensive it will be impossible to procure arms in this State for the said troops, and requesting their attention to that subject.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petitions of divers inhabitants of the county of *Spotsylvania*, praying that the general musters of the said county may in future be appointed at or near the centre thereof, is reasonable.

*Resolved*, That the petition of divers inhabitants of the town of *Port Royal*, in the counties of *King George*, *Caroline*, and *Westmoreland*, praying that a publick ferry may be established from the landing of the said town of *Port Royal*, in the county of *Caroline*, to the opposite shore, in the county of *King George*, is reasonable.

*Resolved*, That *James Bowie*, jun. have leave to keep a publick ferry from the landing of the said town of *Port Royal*, in the county of *Caroline*, to the opposite shore, upon condition that he and his successors do set over all foot passengers ferry free.

On a motion made,

*Ordered*, That the committee appointed to prepare and bring in a bill *To amend the several ordinances relating to the training of the militia, and for reducing the same into one act*, do receive a clause, or clauses, pursuant to the first resolution of the committee; and that the Committee of Propositions, to whom the bill *For establishing a ferry across the Fluvannah river, from the land of Henry Trent, to the land of Nicholas Davies*, is committed, do receive a clause, or clauses, pursuant to the other resolutions.

A petition of *Thomas Fambrough* was presented to the House, and read; setting forth, that in the month of *April* last he had a horse impressed by the sheriff of *Halifax*, to convey a certain *Thomas Potter* to the publick jail, charged with horse-stealing; that the horse so impressed was appraised according to law, and by the certificate of the appraisers appears to have been damaged 40s. and praying to be allowed the same.

Also a petition of *Joseph Haynes*, setting forth, that in the month of *July*, 1775, he had a mare impressed by the sheriff of *Halifax*, to convey a certain *John Johnson* to the publick jail, charged with murder; that the mare so impressed was appraised according to law, and by the certificate of the appraisers appears to have been damaged 40s. and praying to be allowed the same.

Also a petition of *Dionysius Lester*, setting forth, that some time in the month of *November* last his ferry boat at *Jamestown* was taken into the country's service, for ferrying over the troops going to *Norfolk*, which boat has never been returned to him, and praying to be allowed such satisfaction for her, and reasonable compensation for lying out of the use of the said boat, as to this House shall be thought just and reasonable.

Also a petition of *Patrick Galt*, setting forth, that before the appointment of a surgeon to the ninth regiment of regulars, he attended three companies of the said regiment, as physician and surgeon, from the 1st day of *February*, to the 28th of *April* following, which service was attended with a good deal of trouble and expense, as the sick were generally removed to places where they could be best accommodated, having then neither hospital nor covering, and paying such allowance as this House shall think reasonable.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, prepared a bill *For establishing a town at the Warm Springs, in the county of Berkeley*; which was read the first time, and ordered to be read a second time.

A petition of the inhabitants of *Culpeper* county was presented to the House, and read; setting forth, that the settlers to the regiments and minute-men sell spirituous liquors to the officers and soldiers at most exorbitant prices; that the colonel of the regiment having the power of allowing such settlers as he shall approve of, others dare not sell



in the camp, though many would willingly sell the same kinds of liquors at much lower prices; and therefore praying that the mode of appointing sutlers may be altered, or their profits regulated.

*Ordered*, That the said petition be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That Mr. *Wilson* have leave to be absent from the service of this House till *Monday* fortnight.

A petition of the mayor, aldermen, common councilmen, and other freeholders of the borough of *Norfolk*, was presented to the House, and read; setting forth, that being informed application is intended to be made to this House to lay off and regulate the streets of the said borough, they are of opinion such a measure is necessary, yet that previous thereto they beg leave to represent the distressed situation of the inhabitants of the said borough, and their inability to execute any plan that may be adopted; that notwithstanding the various false reports to the contrary, they have ever been warmly attached to the country and the cause of liberty, notwithstanding which, from misrepresentation, they have shared the same fate with our open and avowed enemies, in consequence of which they and their families have been reduced to the greatest distress; that numberless widows and orphans, who before enjoyed every comfort of life, are rendered truly miserable; that they have been driven from their peaceful habitations into the woods, without food or raiment, at a most inclement season, whereby many have perished; that such scenes of distress have presented themselves as would melt the heart of the most unrelenting savage; that most of them have hitherto been a burthen to their friends, and shared of what little they had left; that they now offer up their prayers to this House, and look up for protection and redress, as they have been deprived of the means of subsistence by those who were sent for their protection; that the greatest part of the town at the first conflagration was wantonly destroyed by the provincial troops, which they are ready to prove, if necessary, notwithstanding the declaration of the Committee of Safety, setting forth, that those troops were particularly instructed to support and protect the persons and properties of the said inhabitants; that they are fully convinced such licentious and disorderly conduct must be highly disapproved of by this House; that, from their unfortunate situation, they have fallen the unhappy victims in this contest, while the other parts of the country have enjoyed peace and tranquillity, and that they humbly conceive so heavy a loss should not fall on individuals, but be a general charge; and praying their situation may be taken into consideration, and such relief afforded them as shall be thought just and reasonable, and desiring the attention of the House to the loss they have sustained by the destruction of the latter part of the town by order of Convention.

*Ordered*, That the said petition be referred to the Committee upon the State of the Country.

Mr. *Lee*, from the committee appointed to inquire into and report the state of the several publick manufactories, reported, that the committee had accordingly examined into the state of the gun manufactory at *Fredericksburg*, and had agreed upon the following report; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and ordered to lie on the table.

It appears to your committee, that the several sums of money advanced for erecting and carrying on the gun manufactory amount to 3728*l.* 7*s.* 5*d.* halfpenny; that the several balances due sundry persons from the same amounts to 1865*l.* 9*s.* 5*d.* three farthings, which make in the whole the sum of 5593*l.* 15*s.* 11*d.* farthing; that the amount of work done and delivered out of the said manufactory amounts to 3903*l.* 11*s.* 6*d.* and that the articles now in hand amount to the sum of 2381*l.* 13*s.* 4*d.* which added together make 6285*l.* 4*s.* 10*d.* The balance therefore due the said manufactory appears to be 691*l.* 7*s.* 10*d.* three farthings, as appears by the accounts annexed to the said report.

A memorial of the trustees of the academy of *Hampden Sidney*, in the county of *Prince Edward*, was presented to the House, and read; setting forth, that a considerable number of gentlemen in that and the neighbouring counties, convinced of the importance of polite literature to their children and their country, and the difficulty of acquiring it in their remote situation, have by their own efforts, and the private contributions they were able to collect, erected an academy for that purpose, which is distinguished by the name of *Hampden Sidney*, in memory of those great patrons of liberty and letters; that the rapid growth, and the general reputation into which it hath risen, in a short time, have rendered it, they hope, an object not unworthy of the attention of the Legislature of *Virginia*; that literature, at all times ornamental, is now justly considered as necessary to the existence and stability of this rising Commonwealth, and may therefore claim the encouragement as well as the protection of her laws.

That they are aware of the expenses that attend a war in the infancy of a government, and commenced under every disadvantage, wherein we were involved by the security into which our innocence had misled us; but that, even under the growing load of publick debt, there are reasons which seemed to them to justify and render necessary the present application. That in the course of human life, and during the ravages of a destructive war, it is very uncertain how many of those who now fill our civil and military departments, may survive the calamities of their country; and that it is a fact well known, and regretted in many counties, that few remain behind capable of supplying the places of those who shall be torn from the Commonwealth by death or by war. That our resources for education from *Britain* are cut off. That the prospect of leaving an extensive republick young and unexperienced, before it hath acquired stability, to be guided by the councils and defended by the arms of unskilful and unlettered men, is too unfavorable to be indulged by any lover of his country. That it may be too late to seek a remedy for the evil at the termination of the war, an event that is uncertain, and may be remote. That they do not forget there is already a college amply endowed, but it is at present, and for a long time may be, too near the scene of danger, and too much in the midst of camps, to render its country that service it would otherwise be capable of doing. That if every circumstance of situation and of common opinion were united in its favour, wise politicians will remember that it is dangerous to entrust so important a power as learning in the hands of a single person, or only a few. That those who

are acquainted with the history of *England* well know the rivalry of *Cambridge* and *Oxford* hath more than once preserved the liberties of that kingdom, which might have fallen a sacrifice if one of them had possessed the sole prerogative of education. That besides, they conceive knowledge should be diffused as equally and as extensively as possible among the people. That their designs carry in them no opposition to any place, or party of men; their system is catholic, and calculated to banish those invidious distinctions, which, however little they may have been felt under a monarchial government, are improper and injurious in a republic State. That they do not claim to be set on a footing that will rival the publick seminary which is already established, their publick services not having yet merited it; they only pray the Legislature will enable them to erect such buildings as are necessary to accommodate the great number of students who daily apply for admission into the academy, and whose hopes of an education are likely to be frustrated through the want of room for their reception; and that they may be placed on such a stage where they may have an opportunity of convincing the publick whether the interests of education are likely to suffer in their management, or whether their industry and success in the service of their country will be such as to deserve their future favour and indulgence. That considerably more than one hundred students have already applied to be received at the commencement of the next session, and that they have the greatest reason to believe that number might be doubled, in a few months, if it were in the power of the Board to furnish them with proper accommodations. That they only ask what may be sufficient to furnish the necessary accommodations, upon the most parsimonious plan. That it is their opinion they could serve the institution better, if the Legislature should be pleased to erect the Board into a corporate body, and to grant the masters such usual exemptions as are deemed necessary to large literary societies. That they do not however urge these matters, trusting that the wisdom and zeal of this House for the publick welfare will perform whatever is consistent with good government, and the more important exigencies of the Commonwealth.

*Ordered*, That the said memorial be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That leave be given to bring in a bill *To enable persons living in other countries to dispose of their estates in this country with more ease and convenience*; and that Mr. *Zane*, and Mr. *Bullitt*, do prepare and bring in the same.

The Speaker informed the House, that he was desired to lay before them a letter from *Dorsey Penticost* to the Governor, with the several papers therein enclosed; which were read, and ordered to lie upon the table.

The House, according to the order of the day, resolved itself into a committee upon the state of the country; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Braxton* reported, that the committee had, according to order, had under their farther consideration the state of the country, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will on *Monday* next again resolve itself into the said committee.

Adjourned till *Monday*, 10 o'clock.

## MONDAY, November 18, 1776.

The Speaker laid before the House a letter from the hon. *Dudley Digges*, Esquire, and also a letter from colonel *Christian*; which were read, and ordered to lie upon the table.

*Ordered*, That the committee of the whole House upon the state of the country be discharged from proceeding upon the petition of *William Emery*, and that the same be referred to the Committee of Publick Claims.

A petition of *Thomas Lawson* was presented to the House, and read; setting forth, that in the month of *July* last he had a waggon and team of oxen employed in carrying provision to the militia at the mouth of *Quantico*, in *Prince William* county; that two of his oxen, worth at least *£l.* each, were, whilst in the service, thrown down the bank of the river, and praying to be allowed for the same.

Also a petition of *John Knibb*, and *Richard Renard*, setting forth, that the warehouses at *Bermuda Hundred*, where they were inspectors, were broke open in the month of *October*, 1775, and about 400 weight of transfer tobacco stolen thereout, for which they have been obliged to pay the proprietors at the rate of twenty-one shillings and one penny per hundred; that on the night of the 14th of *July*, in the succeeding year, the said warehouses were again broke open, and two hogsheds of tobacco stolen out of the same, one weighing 1065 pounds neat, and the other a hogshhead which had been refused and not weighed, for which they expect they shall be obliged to pay the proprietors; and praying such relief as this House shall think just and reasonable.

Also a petition of *John Knibb*, setting forth, that in *July*, 1770, the warehouse at *Bermuda Hundred*, at which himself and *Thomas Stratton*, now deceased, were inspectors, was broke open in the night time, and 436 pounds of tobacco stolen thereout, for which he hath been obliged to pay the proprietor thereof at the rate of 16s. *Sd.* per hundred, and praying to be reimbursed by the publick.

*Ordered*, That the said several petitions be referred to the Committee of Publick Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon, to the House.

A petition of *John Hobday* was presented to the House, and read; setting forth, that at great expense and trouble he invented a machine for threshing out wheat, which he conceives has been of general utility throughout this country, for which invention a former Assembly were pleased to allow him 100*l.*, which, from the unhappy troubles that have since prevailed, he has never yet been able to receive, and praying that this House would allow him such reward for his endeavours to serve the community as shall be thought just and reasonable.



Also a petition of *Nathaniel Tyson*, setting forth, that he was employed by the committee of *Northampton* county, in consequence of an application from the Committee of Safety, and hired by the day to go to *Philadelphia* with a sum of publick money to lay out in cannon and other warlike stores for one of the vessels of war; that while he was employed in this business, and going from place to place in *Philadelphia*, he lost 450 paper dollars out of his pocket, whether by accident or otherwise he cannot tell; that he received no reward for taking charge of the money, being only allowed wages for his labour; and praying such relief as shall be thought just and reasonable.

Also a petition of *Joseph Carrington*, setting forth, that he was appointed a captain in the minute service for the district of *Amelia, Chesterfield and Cumberland*; that he completed his company in *September 1775*, and soon after went into battalion duty; that he was in the month of *December* called into actual service at *Norfolk*, where he remained with his company till some time in *February*, and being very desirous again to complete his company, which he in a short time effected, he was unavoidably at the expense of 9*l.* 5*s.* and praying to be reimbursed the said sum of money.

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

A petition of *Jacquelin Ambler* was presented to the House, and read; setting forth, that his houses in the town of *York*, were last winter taken by the officers and soldiers of our army stationed at that place, and made use of as barracks; that the enclosures, a valuable garden, and some of the outhouses belonging to his said tenement, have been totally destroyed by the soldiers, and his dwelling-house so much damaged as to put it out of his power to make it a comfortable residence for his family; and praying the said house and tenement may in future be appropriated to the use of such part of the army in garrison at the said town of *York*, and such compensation made him as shall be thought just and reasonable.

Also a petition of *Nathaniel L. Savage*, setting forth, that he had a share in the new distillery at *Norfolk*, which cost him 550*l.* although when it was destroyed he valued the same at 800*l.*; that as he observes by the resolution of Convention in *December* last, it was recommended to colonel *Howe*, the then commander on that station, to destroy the said distillery, he should not at this time have troubled the House with this claim, as the publick faith, in his opinion, is in some measure pledged to make good the damage to the sufferers, but that at the time the distillery was destroyed, they lost a considerable quantity of molasses, for which the said distillery company are indebted, the amount of which is not yet known, but when ascertained, it is expected will be paid for by the publick; and as some of the company are gone out of the country, having left no agents, and time will render a state of the debt difficult, if not impossible to be attained, he submits it to the House either to appoint proper persons to inquire into and report to the next session of Assembly the truth of the case as it shall appear to be, or that such other relief may be granted him as shall be thought just and reasonable.

*Ordered*, That the said several petitions be referred to the Committee upon the State of the Country.

A petition of *Spence Grayson*, rector of *Cameron* parish, in the county of *Loudoun*, was presented to the House, and read; setting forth, that the vestry of the said parish have failed to appoint any collector for the year 1775, so that he is not likely to receive any part of his salary, which was usually levied for him in tobacco at 12*s.* 6*d.* per hundred weight; that the court of the said county have failed to appoint persons to take the list of tithables during the last summer, so that he is likely to lose his salary for the present year without the aid or interposition of this House; and praying that an act may pass to compel the vestry to collect the former levy, and to authorise and direct the justices to take the lists of tithables, that a new levy may be laid.

*Ordered*, That the said petition be referred to the Committee for Religion; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

*Ordered*, That the clerk of this House do procure a sufficient quantity of parchment to enrol the several acts of Assembly, and that the treasurer be desired to pay for the same.

Mr. *Jefferson*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of *Hezekiah Holliday*, of the county of *Isle of Wight*, praying that the negro slave *Dick*, now employed in the service of the publick at the lead mines, may be returned to him, together with his hire, is reasonable, and that the said slave ought to be delivered to the petitioner in the city of *Williamsburg*.

*Resolved*, That the consideration of the petitions of divers inhabitants of the counties of *Mecklenburg* and *Lunenburg*, be deferred until the third *Monday* of the next session of Assembly.

On a motion made,

*Resolved*, That the Governour be desired to take proper measures for the delivery of the slave to the said *Hezekiah Holliday*, pursuant to the first of the said resolutions.

*Ordered*, That Mr. *Richard Squire Taylor* have leave to be absent from the service of this House, for the recovery of his health.

*Ordered*, That leave be given to bring in a bill *To establish a town on the lands of Mr. Cuthbert Bullitt, near the mouth of Quantico, in the county of Prince William*; and that Mr. *Griffin*, and Mr. *Ewell*, do prepare and bring in the same.



Mr. *Jefferson*, from the Committee of Propositions and Grievances, to whom the bill *For appointing commissioners of Oyer and Terminer for the trial of the criminals now in the publick jail*, was committed, reported, that the committee had, according to order, had the same under their consideration, and had directed him to report the same, without any amendments; and he delivered the bill in at the clerk's table.

Ordered, That the said bill be engrossed and read a third time.

Resolved, That *Fielding Lewis*, and *Charles Dick*, esquires, managers of the gun manufactory in the town of *Fredericksburg*, be allowed the sum of 365*l.* for directing and superintending the same to this time, and that Mr. *Starke* do carry the said resolution to the Senate for their concurrence.

Ordered, That leave be given to bring in a bill *To amend the ordinance for providing arms and ammunition for the use of this colony*; and that Mr. *Bullitt*, and Mr. *Starke*, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee upon the state of the country; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their farther consideration the state of the country, but not having time to go through the same, had directed him to move for leave to sit again.

Resolved, That this House will to-morrow again resolve itself into the said committee.

A petition of *Arthur Upshur* was presented to the House, and read: setting forth, that some time in the month of *October*, 1775, a certain *John Goodrich* was employed to procure from foreign parts military stores for the use of this Commonwealth; that he accordingly sent out two vessels for that purpose, but some time after the sailing thereof, lord *Dunmore* becoming acquainted with their destination, it was thought expedient to convey notice to the commanders of the said vessels, that they might avoid falling into the hands of the enemy; that the said *John Goodrich* accordingly contracted with him, on behalf of the country, for sending out a vessel to *St. Eustatia*, as an express, for which he agreed to allow the sum of 100*l.* that he thereupon sent out his said vessel with all despatch, but that soon after she sailed, *William Goodrich*, a son of the said *John Goodrich*, falling into the hands of lord *Dunmore*, in order to obtain his liberty, and a restitution of his father's property, which had been seized, agreed to countermand the orders given the said vessel, by which means she returned in ballast, after having waited a considerable time; and praying to be allowed the aforesaid sum of 100*l.* either out of the estate of the said *John Goodrich*, or by the publick, as shall be thought just and reasonable.

Also, a petition of *William Roberts*, of the county of *Halifax*, setting forth, that the General Assembly passed an act establishing a ferry over *Dan river*, from his land to the land of *Henry Gaines*, now the property of *Roger Shackelford*, which ferry was then beneficial to him, and convenient to the inhabitants for the purpose of crossing the said river to court, but that since the division of the said county the said ferry has become burthensome to him, and useless to the publick, and praying that the said ferry may be discontinued.

Also, a petition of *James Higgin*, setting forth, that having engaged in the service of this State, under captain *Croghan*, he was taken very sick in the city of *Williamsburg*, and continued so for a considerable time; that proper medicines could not be procured from the surgeon of the regiment to which he belonged, and that he was therefore under the necessity of getting them elsewhere, and praying such relief as shall be thought just and reasonable.

Also, a petition of *Jacob Bousman*, setting forth, that the establishing a ferry from his land on the *Monongahela* river, across the said river to the town of *Pittsburg*, will be of publick utility, and praying that an act may pass for that purpose.

Also, a petition of *Isaac Zane*, setting forth, that lord *Dunmore* is justly indebted to him in the sum of 21*l.* 19*s.* 6*d.* and praying to be allowed satisfaction for the same out of his lordship's estate, in proportion with his other creditors.

Also, a memorial of *Henry Field*, jun. setting forth, that he has been duly appointed to receive certain quit rents due to the right honourable *Thomas lord Fairfax*, in the counties of *Prince William*, *Fauquier*, and *Culpeper*, for which he has applied to those who enjoy the benefit of his lordship's lands, but without being able to receive the same; that several, taking advantage of the times, not only withhold the quit-rents they are accountable for, but incite others to follow their example; that having acquainted his lordship therewith, he was directed by him to lay the matter before this House, and as his lordship has in no instance forfeited the confidence of his countrymen, it is hoped the protection of his property will be regarded in the same light as the interest of any other individual belonging to the State; and praying such redress as shall be thought just and reasonable.

Also, a memorial of *Samuel Washington*, *Robert Rutherford*, and *William Booth*, setting forth, that in obedience to a resolve of Convention, passed on the 15th day of *June*, 1776, they did, after publick notice given, proceed on the 4th day of *October* ensuing, to rent out the lands, and to make sale of the personal estate of the earl of *Dunmore* within the county of *Berkeley*, in the manner following, to wit:

11 negroes, four of them children,	-	-	-	£ 852 00 00
21 cattle, five of them calves, together with 35 hogs, old and young, at large in the woods,	-	-	-	66 17 02
Indian corn, rye and hay, on the farm,	-	-	-	77 00 00
2 old horses, and one mare,	-	-	-	29 08 00
2 old feather beds, and other household furniture and kitchen utensils,	-	-	-	27 13 00
A waggon and geer, with other utensils of husbandry,	-	-	-	65 07 00

Total amount,

£ 1118 05 02

The above sum secured as hereafter described:

Bills taken, with approved security, payable to the Treasurer for the time being, on twelve months, for	-	-	-	£ 1113 06 06
Cash received, and ready to pay into the Treasury,	-	-	-	3 19 08
Stands in account,	-	-	-	19 00 00

Total, £ 1118 05 02

That they at the same time rented out the farm known by the name of *Mount Charlotte*, together with the saw mill thereon, to Mr. *Edward Snickers*, for three years, commencing the 4th day of *October* aforesaid, at the yearly rent of 41l.

That they farther represent, that *George*, an *African* slave, about 50 years of age, remains unsold, they not being well advised of the title to the said slave, as he, in the best manner he could explain himself, only informed them that he had fled for protection to lord *Dunmore* while in *Williamsburg*, from the exceeding cruelty of a former master, which, from the marks of violence on him, is too evident; and farther, that two small pieces of ordnance are also unsold, they not being perfectly informed of the real owner.

*Ordered*, That the said several petitions do lie on the table.

*Ordered*, That the Committee of Propositions and Grievances, who are to prepare and bring in a bill *For obliging the vestry of the parish of St. James, in the county of Mecklenburg, to settle a rate at which the inhabitants may pay their parish levies in tobacco*, do receive a clause or clauses, for extending the like remedy to other parishes in similar circumstances.

The several orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate—For dissolving the several county and corporation committees within this commonwealth—For establishing the places of holding courts in the counties of Pittsylvania and Henry—For altering the rates of the copper coin of this commonwealth—For the naturalization of foreigners*; for the farther consideration of the report from the committee of the whole House upon the state of the country, made on *Saturday* the 9th of *October* last, the order for a call of the House, and the order for receiving the report of the whole House upon the bill *Declaring what shall be treason*, being read,

*Ordered*, That the same be put off till *Wednesday* next.

Adjourned till to-morrow, 10 o'clock.

## TUESDAY, November 19, 1776.

The petitions of *Arthur Upshaw*, *Jacob Bousman*, *Isaac Zane*, *William Roberts*, and *Henry Field*, jun. presented yesterday, and ordered to lie on the table, being read,

*Ordered*, That the said several petitions be referred to the Committee of Propositions and Grievances; that they inquire into the allegations thereof, and report the same, with their opinion thereupon, to the House.

The petitions of *James Higgin* and of *Samuel Washington*, *Robert Rutherford* and *William Booth*, presented yesterday, and ordered to lie on the table, being also read,

*Ordered*, That the said several petitions be referred to the Committee of Public Claims; that they inquire into the matters thereof, and report the same, with their opinion thereupon to the House.

An engrossed bill *For appointing commissioners of Oyer and Terminer for the trial of the criminals now in the publick jail*, was read a third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that Mr. *Jefferson* carry the same to the Senate for their concurrence.

*Ordered*, That Mr. *Fitzhugh* have leave to be absent from the service of this House until *Monday* se'nnight.

*Ordered*, That Mr. *Mason*, the members for *Frederick*, *Hampshire*, and *Bedford*, be added to the committee to whom the bill *For dividing the county of Fincastle into two distinct counties*, was committed.

A bill *For altering the place of holding courts in the county of Halifax*, was read a second time, and ordered to be committed to Mr. *Henry* and the members for *Halifax*.

*Ordered*, That it be an instruction to the said committee, that they receive a clause or clauses, to enable the sheriff of the said county of *Halifax* to hold elections, and the commanding officer of the militia to hold general musters, at some convenient place on the lands of *John Boram*, till the courthouse shall be built.

An engrossed bill *To revive and amend an act intituled An act for the inspection of pork, beef, flour, tar, pitch, and turpentine*, was read a third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that the title be *An act for the inspection of pork, beef, flour, tar, pitch and turpentine*; and that Mr. *Acvill* do carry the same to the Senate for their concurrence.

The House, according to the order of the day, resolved itself into a committee to take into their farther consideration the state of the country, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Sturke* reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.



*Resolved*, As the opinion of this committee, that all and every act or statute, either of the parliament of *England* or of *Great Britain*, by whatever title known or distinguished, which renders criminal the maintaining any opinions in matters of religion, forbearing to repair to church, or the exercising any mode of worship whatsoever, or which prescribes punishments for the same, ought to be declared henceforth of no validity or force within this Commonwealth.

*Resolved*, That so much of an act of Assembly made in the 4th year of the reign of queen *Anne*, intituled *An act for the effectual suppression of vice, and restraint and punishment of blasphemous, wicked, and dissolute persons*, as inflicts certain additional penalties on any person or persons convicted a second time of any of the offences described in the first clause of the said act, ought to be repealed.

*Resolved*, That so much of the petitions of the several dissenters from the church established by law within this Commonwealth, as desires an exemption from all taxes and contributions whatever towards supporting the said church and the ministers thereof, or towards the support of their respective religious societies in any other way than themselves shall voluntarily agree, is reasonable.

*Resolved*, That although the maintaining any opinions in matters of religion ought not to be restrained, yet that public assemblies of societies for divine worship ought to be regulated, and that proper provision should be made for continuing the succession of the clergy, and superintending their conduct.

*Resolved*, That the several acts of Assembly, making provision for the support of the clergy, ought to be repealed, securing to the present incumbents all arrears of salary, and to the vestries a power of levying for performance of their contracts.

*Resolved*, That a reservation ought to be made to the use of the said church, in all time coming, of the several tracts of glebe lands already purchased, the churches and chapels already built for the use of the several parishes, and of all plate belonging to or appropriated to the use of the said church, and all arrears of money or tobacco arising from former assessments; and that there should be reserved to such parishes as have received private donations, for the support of the said church and its ministers, the perpetual benefit of such donations.

*Ordered*, That Mr. *Starke*, Mr. Treasurer, Mr. *Jefferson*, Mr. *Bullitt*, Mr. *Tazewell*, Mr. *Mason*, Mr. *Madison*, Mr. *M'Dowell*, Mr. *Gordon*, Mr. *Zane*, Mr. *Fleming*, Mr. *Henry*, Mr. *Griffin*, Mr. *Lewis*, Mr. *Simpson*, Mr. *Read*, and Mr. *Johnson*, do prepare and bring in a bill pursuant to the said resolutions.

*Ordered*, That Mr. *Ruffin* have leave of absence from the service of this House till *Tuesday* se'nnight, Mr. *Thornton* till *Monday* fortnight, and Mr. *Kenner* and Mr. *West* for the recovery of their health.

Adjourned till to-morrow, 10 o'clock.

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### WEDNESDAY, November 20, 1776.

*Ordered*, That Mr. *Washington* have leave to be absent from the service of this House for the remainder of the session.

The House took into their consideration the report of the committee on the gun manufactory in the town of *Fredericksburg*, made on *Saturday* last, and ordered to lie on the table; and the said report was again read and agreed to.

*Ordered*, That Mr. *Starke* do carry the same to the Senate for their concurrence.

On a motion made,

*Resolved*, That it be an instruction to our Delegates in Congress that they use their endeavours to oblige all persons who now are, or hereafter may be, intrusted with any sum or sums of money under the appointment of the General Congress, to give sufficient security for the performance of their several trusts, and faithful accounting for the same.

*Ordered*, That Mr. *Gray* do carry the said resolution to the Senate for their concurrence.

Mr. *Starke*, from the Committee of Religion, presented, according to order, a bill *To enable the vestry of the parish of Botetourt to purchase lands for a glebe, and for other purposes therein mentioned*; which was read the first time, and ordered to be read a second time.

*Ordered*, That Mr. *Watkins* have leave to be absent from the service of this House until *Saturday* se'nnight. Mr. *Henry*, from the committee appointed, presented, according to order, a bill *To restrain the operation of the acts for limitations of actions, and recording deeds, in certain cases*; which was read the first time, and ordered to be read a second time.

*Ordered*, That Mr. *Simpson* have leave to be absent from the service of this House for the remainder of the session.

Mr. *Starke*, from the committee to whom the petition of *John Hobday* was referred, reported, that the committee had, according to order, had under their consideration the said petition, and had come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read, and are as follows:

*Resolved*, That so much of the said petition as prays an allowance for spirits provided for the use of the labourers employed in the salt works under the management of the said *Hobday*, and which appears to amount to 4*l.* 10*s.* is reasonable.



*Resolved*, That such part of the said petition as prays an additional allowance of one shilling and three pence a day for sundry white persons, who were at that time soldiers in the service of this country, be rejected.

*Resolved*, That such other parts of the said petition, as prays an additional allowance of sixpence per day for sundry negro labourers, be rejected.

The first and third of the said resolutions being read a second time, were, on the question put, ordered to be recommended to the said committee.

The second resolution being also read a second time, was, on the question put, agreed to by the House.

*Ordered*, That Mr. *M'Dowell*, Mr. *Lee*, Mr. *Curle*, and Mr. *Terry*, be added to the said committee.

On a motion made,

*Resolved*, That instructions be sent to our Delegates in General Congress to propose to Congress the taking into continental pay so many of the troops of horse raised in this Commonwealth as shall consent thereto, and to agree that the expenses already incurred thereby shall be a continental charge.

*Ordered*, That Mr. *Lee* do carry the said resolution to the Senate for their concurrence.

The House, according to the order of the day, resumed the consideration of the report of the committee of the whole House made on *Saturday* the 9th instant, and the 5th, 6th, 7th, 8th, and 9th resolutions of the committee, being again read, were, on the question severally put thereon, amended, and agreed to, as follows:

*Resolved*, That it is the opinion of this committee that two battalions of infantry, with their proper officers, should be immediately raised for the purpose of garrisoning the said forts.

*Resolved*, That it is the opinion of this committee, that for defraying the expenses of erecting the said fortifications, building and equipping the said vessels, establishing the said manufactory, raising, paying, and subsisting for one year the marines now in the service of this Commonwealth, the infantry aforesaid, and the seamen necessary for the said vessels, and for discharging the publick debts incurred the last year, and defraying the expenses of the civil establishment for the year to come, there ought to be emitted a sum of money not exceeding 350,000*l.* in treasury notes, of dollars and parts of a dollar, to be redeemed at certain and convenient periods by taxes to be imposed for that purpose.

*Resolved*, That it is the opinion of this committee, that instructions be sent to our Delegates in General Congress to propose to Congress the defraying out of the continental treasury the expenses of the expedition against the southern *Indians*, an expedition which it is conceived should be a continental charge, and to procure necessary supplies of money to be sent hither for that purpose.

*Resolved*, That the five companies of riflemen heretofore raised in this Commonwealth, and now at *New York*, be joined to five of the companies directed to be enlisted pursuant to an act of this present General Assembly, and considered as part of the quota to be furnished by this Commonwealth; and that a like number of companies, to be raised in this Commonwealth under the said act of Assembly, be taken into the service and pay of this Commonwealth, and considered as composing a part of the troops to be raised for the better security and defence of the same.

*Resolved*, That instructions be given to our Delegates in General Congress to propose to Congress that two of the six additional battalions of infantry lately ordered to be raised in this Commonwealth for the continental defence, may be stationed on the western frontiers, for the defence thereof, and that the said two battalions may be of those consisting of men to be raised in that part of the country.

*Ordered*, That Mr. Treasurer do carry the 7th and 9th of the said resolutions to the Senate for their concurrence, and that Mr. *Treasurer*, Mr. *Jefferson*, Mr. *Mason*, Mr. *Bullitt*, Mr. *Starke*, and Mr. *Gray*, do prepare and bring in a bill pursuant to the other resolutions, and also pursuant to the four resolutions of the said committee agreed to by the House on *Saturday*, the 9th instant.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For establishing the places of holding courts in the counties of Pittsylvania and Henry*,—*For altering the rates of the copper coin of this Commonwealth*,—*For the naturalization of foreigners*, the order for a call of the House, and the order for receiving the report from the committee of the whole House upon the bill *Declaring what shall be treason*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

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#### THURSDAY, November 21, 1776.

*Ordered*, That Mr. *Tarleton Fleming*, and Mr. *Wilkinson*, have leave to be absent from the service of this House until *Monday* se'nnight.

*Ordered*, That the Treasurer be desired, at the publick expense, to furnish each of the door-keepers of the General Assembly with a decent suit of clothes.

A bill *For establishing the places of holding courts in the counties of Stafford and King George*, was read a second time, and ordered to be committed to Mr. *Fitzhugh*, Mr. *Jones*, Mr. *Brent*, and Mr. *Carter*.

The Speaker laid before the House a letter from the Governour, enclosing one from the President of the General Congress, and another from Mr. *Searle of New Jersey*; which were read, and ordered to be referred to the committee of the whole House upon the state of the country.

The House, according to the order of the day, resolved itself into a committee upon the state of the country; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the letters from the Governour and President of the General Congress, to them referred, and had come to the following resolution thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That this committee do highly approve of the steps taken by the Governour and Council in consequence of the intelligence received from the Hon. the President of the Congress, as well to gain certain information of the destination of the enemy as in providing for the security of the fortification at *Portsmouth*, at the same time to assure the Governour of the entire confidence we place in him and the Council; that in case of the probable approach of the enemy, they will exert the powers with which they are invested by law to call in such farther draughts of the militia as circumstances may make necessary for repelling their invasion.

*Ordered*, That Mr. *Starke* do carry the said resolution to the Senate for their concurrence.

A message from the Senate by Mr. *Lomax*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House instructing our Delegates in General Congress to propose to Congress the taking so many of the troops of horse raised in this Commonwealth into continental pay as shall agree thereto.

Also to the report upon the gun manufactory in the town of *Fredericksburg*, and to the resolution for paying *Fielding Lewis* and *Charles Dick*, Esquires, managers of the said manufactory, the sum of 365*l.* for directing and superintending the same; and he delivered the same in at the bar, and then withdrew.

*Ordered*, That the letter from the Hon. *John Page*, Esq. laid before the House on the 7th instant, and ordered to lie upon the table, be referred to the Committee upon the State of the Country.

*Resolved*, That this House will to-morrow again resolve itself into a committee to take into their farther consideration the state of the country.

A message from the Senate by Mr. *Bland*.

MR. SPEAKER,

The Senate have agreed to the bill *For appointing commissioners of Oyer and Terminer for the trial of the criminals now in the publick jail*, without any amendment.

They have also agreed to the bill intituled *An act for reviving several publick warehouses for the reception of tobacco, and other purposes*, with amendments, to which they desire the concurrence of this House.

They have also agreed to the resolution of this House approving of the steps taken by the Governour and Council in consequence of the intelligence received from the President of the General Congress.

Also to the resolution respecting the five companies of riflemen heretofore raised in this Commonwealth, and now at *New York*.

Also to the resolution giving our Delegates in General Congress instructions to propose to Congress that two of the six additional battalions of infantry lately ordered to be raised in this Commonwealth for the continental defence may be stationed on the western frontiers, for the defence thereof; and he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, resolved itself into a committee on the bill *For altering the rates of the copper coin of this Commonwealth*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had the said bill under their consideration, and had directed him to report the same without any amendment.

On the question put, that the said bill be engrossed and read a third time, it passed in the negative.

*Resolved*, That the said bill be rejected.

*Ordered*, That the committee of the whole House, to whom the bill *To establish the places of holding courts in the counties of Pittsylvania and Henry*, was committed, be discharged from proceeding therein; and that the said bill be committed to Mr. *Talbot*, Mr. *Jefferson*, Mr. *Fleming*, Mr. *Terry*, and the members for *Pittsylvania*.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For the naturalization of foreigners*, the order for a call of the House, and the order for receiving the report from the committee of the whole House upon the bill *Declaring what shall be treason*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.



FRIDAY, November 22, 1776.

*Ordered*, That the Committee of Publick Claims be discharged from proceeding upon the petition of *Benjamin Peck*, and that it be referred to the committee appointed to inquire into and report the progress and expense of the several publick salt works.

Mr. *Carter*, from the committee to whom the bill *For appointing commissioners to dispose of the lands and slaves formerly purchased pursuant to an act intituled An act for encouraging the making wine*, was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had directed him to report the same without any amendment.

*Ordered*, That the said bill be engrossed and read a third time.

*Ordered*, That Mr. *Digges* have leave to be absent from the service of this House until *Monday* next, Mr. *Cocke* until *Wednesday*, and Mr. *Goode* for the remainder of the session.

The Speaker laid before the House a letter from the Governour, enclosing one from *George Wythe*, esq. with the proceedings of Mr. *John Gibson*, on his embassy to the southward, and another from our Delegates to the General Congress, with a resolution of Congress; which letters and papers were read, and ordered to be referred to the Committee upon the State of the Country.

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding upon the petition of *John Crawley*, and the memorial of *Henry Field*, jun. and that the said petition and memorial be referred to the Committee upon the State of the Country.

A message from the Senate by Mr. *Jones*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House instructing the Delegates for this State in General Congress to use their endeavours to oblige all persons who now are, or hereafter may be, intrusted with money under the appointment of Congress, to give security for the performance of their several trusts, and faithful accounting for the same; and he delivered the same into the bar, and then withdrew.

A bill *For dividing the county of Cumberland into two distinct counties*, also a bill *For establishing a town at the Warm Springs, in the county of Berkeley*, were severally read a second time, and ordered to be committed to the Committee of Propositions and Grievances.

Mr. *Henry*, from the committee to whom the bill *For altering the place of holding courts in the county of Halifax*, was committed, reported, that the committee had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. *Starke*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration two petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of *William Roberts*, of the county of *Halifax*, praying that so much of an act of Assembly as establisheth a ferry from his land over *Dan* river to the land of *Henry Gaines*, on the opposite shore, may be repealed, is reasonable.

*Resolved*, That the petition of *Jacob Bousman*, praying that a publick ferry may be established from his land over the *Monongahela* river to the town of *Pittsburg*, on the opposite shore, is reasonable.

*Ordered*, That it be an instruction to the committee to whom the bill *For establishing a ferry over the Fluvannah river, from the land of Henry Trent to the land of Nicholas Davies*, is committed, that they receive a clause, or clauses, pursuant to the said resolutions.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the petition of *Jacob Cunes*, to them recommitted, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the said petition be rejected, for want of sufficient proof.

The House took into consideration the amendments made by the Senate to the bill *For reviving several publick warehouses for the reception of tobacco, and other purposes*; and the said amendments were read, and on the questions severally put thereupon, some of them were agreed to, others disagreed to, and to others amendments were proposed.

*Ordered*, That a message be sent to the Senate, to acquaint them the House have agreed to some of the said amendments, disagreed to others, and to others proposed amendments, and to desire they will pass the bill with the several amendments as they now stand; and that Mr. *Starke* do carry the said message.

Mr. *Starke*, from the committee appointed to inquire into and report the progress and expense of the several publick saltworks, reported, that the committee had, according to order, had under their farther consideration the resolutions on the petition of *John Ilobday*, to them re-committed, and had come to the following resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That so much of the said petition as prays an allowance for ten gallons and a half of rum, at ten shillings per gallon, 128 gallons of whiskey, at 6s. a gallon, with casks and cartage for the same, amounting to 17l., and 64 gallons of cider, at 7d. halfpenny a gallon, amounting in the whole to 46l. 10s., procured for the use of the labourers employed in the *Gloucester* and *York* saltworks under the management of the said *Hobday*, and by him delivered out after the rate of a gill a day to each labourer, is reasonable.

*Resolved*, That such other parts of the said petition as pray an additional allowance of sixpence a day to the 2s. a day already allowed him by the commissioners for settling the accounts of this Commonwealth, for the purpose of paying off the several negro labourers by him employed in carrying on the said works, according to agreement with their respective masters, and which appears to have been at as low a rate as he could possibly procure them, amounting in the whole to the sum of 124l. 11s. 6d. is reasonable.

*Ordered*, That Mr. *Starke* do carry the said resolutions to the Senate for their concurrence.

The House was called over, according to the order of the day; and excuses were made for the several absent members, which were admitted.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For the naturalization of foreigners*, and the order for receiving the report from the committee of the whole House upon the bill *Declaring what shall be treason*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

## SATURDAY, November 23, 1776.

A message from the Senate by Mr. *Ellzey*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House for paying to *Isaac Smith* the sum of 63l. 16s. 0d. halfpenny out of the estate of lord *Dunmore*, in proportion with his other creditors.

For paying to *Joseph Jones*, *Joshua Campbell*, *James Ferebee*, and *William Burgess*, the sum of 962l. 3s. 6d. out of the estate of *John Goodrich* the elder, after the demands of this State against the said *Goodrich* are fully paid and satisfied.

Mr. *Jefferson*, from the committee to whom the bill *For dividing the county of Fincastle into two distinct counties*, was committed, reported, that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the several amendments, be engrossed and read a third time.

A bill *For establishing publick storehouses at the head of Potowmack creek, for the reception of naval stores*, was read a second time, and ordered to be committed to Mr. *Carter*, Mr. *Lee*, and Mr. *Brent*.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the petition of *Daniel Lawson* and *George Garland*, late inspectors of tobacco at *Totuskey* warehouses, to them re-committed, and had agreed upon the following report and resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

It appears to your committee, by a certificate of the oath of the said inspectors, that a hoghead of tobacco marked H. S. No. 5, weighing 1065 neat, was lost out of the lower warehouse, which they imagined had been stolen thereout, as they discovered where some of the boards of the said house had been broke down, for which said tobacco they have paid the proprietor thereof the sum of 10l. 13s. as appears by a receipt for the same.

It likewise appears to your committee, by certificates of the examination of several witnesses upon the matter, that they used frequently to attend the said warehouses, and always observed the said inspectors to have been very careful in securing the said houses, and that the locks and bolts thereto belonging appeared to be strong and sufficient for the purpose.

*Resolved*, That the said petition is reasonable, and that the petitioners ought to be paid by the publick the said sum of 10l. 13s.

*Ordered*, That Mr. *Lee* do carry the said resolution to the Senate for their concurrence.

*Resolved*, That any five of the committee appointed to prepare and bring in bills *For the establishment of courts of justice*, be a sufficient number to proceed to business.

Mr. *Starke*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petition of *John Hobday*, to them referred, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the petition of the said *John Hobday*, praying to be allowed a reward for inventing a machine for getting out wheat, and communicating to the publick the manner of erecting it, be rejected.

*Ordered*, That Mr. *Burwell* have leave of absence from the service of this House until *Monday* next.



Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as follows:

*Resolved*, That the petition of *Thomas Fambrough*, praying to be allowed for the damage done his horse, which was impressed by the sheriff of *Halifax* county, to convey *Thomas Potter*, a criminal, to the publick jail, is reasonable, and that the petitioner ought to be allowed the sum of 40s. for the same.

*Resolved*, That the petition of *Joseph Haynes*, praying to be allowed for the damage done a mare, the property of *John Dudgeon*, which was impressed by the sheriff of *Halifax* county, to convey *John Johnson*, a criminal, to the publick jail, is reasonable, and that the said petitioner, as assignee of the said *Dudgeon*, ought to be allowed the sum of 40s. for the same.

*Resolved*, That the petition of *James Parsons*, praying to be allowed as commissary for purchasing and collecting (by the direction of lord *Dunmore*) between 30 and 40 head of cattle for the use of the army under his command on the *Indian* expedition, is reasonable, and that the petitioner ought to be allowed for that service 7s. 6d. per day for 10 days, being the time he was employed therein, which amounts to the sum of 3l. 15s.

*Resolved*, That the petition of *Richard Bean*, praying to be allowed pay for 37 days as a soldier under captain *Campbell* of the 1st regiment of *Virginia* forces, which was omitted by mistake of the said captain, is reasonable, and that the petitioner ought to be allowed the sum of 2l. 9s. 4d. for the same.

On consideration of the petition of *Edward Garland*, first lieutenant under captain *Robert Ballard* of the 1st regiment of *Virginia* forces, it appears to your committee, that in the month of *July* last the petitioner was taken sick in the country's service, and by the mismanagement of the surgeon's mate of the said regiment, who attended him at that time, he became dangerously ill; that his friends being informed thereof, thought it expedient to call to his assistance a skilful physician, who recommended it as necessary that he should be removed from the close confined room wherein he then lay to one more suitable for a person in his condition, which was done; that the expense for visits, medicines, and lodging, during his illness, which continued six weeks or thereabouts, amounts in the whole to the sum of 37l. 6s. 6d. which he has paid.

*Resolved*, That the said petition is reasonable, and that the petitioner ought to be reimbursed the said sum of 37l. 6s. 6d.

On consideration of the petition of *Anne Cocke*, it appears to your committee, that the slave in the petition mentioned was on the 7th day of *November*, 1775, together with several others, impressed into the country's service by order of the commanding officer, to assist in transporting our troops across the ferry at *Jamestown*; that the said slave in the petition mentioned, together with one other who at that time wrought as a ferry-man with him, were sent to recover a boat that was adrift, and were taken by a tender belonging to the *Kingfisher* sloop of war; that the said slave in the petition mentioned has not since been heard of, but the other, who was taken with him, made his escape, and returned home.

*Resolved*, That the said petition is reasonable, and that the petitioner ought to be allowed for her said slave the sum of 75l.

On consideration of the petition of *William Emery*, it appears to your committee, that a ferry boat, the property of the petitioner, was impressed into the country's service, by order of the commanding officer, to transport our troops across the river at *Jamestown*; that although the petitioner repeatedly applied for his boat, yet she was detained by the commanding officer during the stay of the troops at *Edwards's* landing; that a few hours previous to their march from thence, the said boat, with two negroes, were sent to recover another that was discovered adrift in the river; that a short time after, a boat, supposed, from corroborating circumstances, to have been the petitioner's, with two hands on board, were seen by some persons on shore to be brought to by the *Kingfisher's* tender, and the two slaves taken on board, but the boat let loose. It also appears, that the said boat has not hitherto been recovered, neither has any satisfaction been received for the same.

*Resolved*, That the said petition is reasonable, and that the petitioner ought to be allowed the sum of 20l. 8s. 5d. for his boat.

*Resolved*, That the petition of *Robert Watkins*, a soldier in captain *Pauling's* company, praying an allowance for 61 days on the *Indian* expedition in the year 1774, be rejected, the petitioner having already been allowed by the commissioners full pay for the time he was in that service.

*Resolved*, That the petition of *David Nowlen*, praying to be allowed for the damage done his horse, which was impressed by the sheriff of *Pittsylvania* county, to convey *Joseph Ray*, a criminal, to the publick jail, is reasonable, and that *Samuel Colland* and company, as assignees of the said *Nowlen*, ought to be allowed the sum of 40s. for the same.

*Resolved*, That the petition of *William Brooks*, praying to be allowed for a certain sum of money, of the paper currency of this State, said to have been casually destroyed, be rejected, for want of sufficient proof.

The 1st, 2d, 3d, 4th, 8th, 9th, and 10th resolutions, being again severally read, were, on the question put, agreed to by the House.

The 5th, 6th, and 7th resolutions, being also read, were ordered to be re-committed to the said committee.

Ordered, That Mr. *Lee* do carry the 1st, 2d, 3d, 4th, and 9th resolutions to the Senate for their concurrence.

Mr. Curle, from the committee to whom the bill *To empower the justices of the county of Norfolk to hold courts at such place as they shall appoint*, was committed, reported, that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Ordered, That the said bill, with the amendments, be engrossed and read a third time.

A bill *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, was read a second time, and ordered to be committed to a committee of the whole House.

Resolved, That this House will on *Tuesday* next resolve itself into a committee on the said bill.

A bill *To amend an act intituled An act for the better securing the payment of levies and restraint of vagrants, and for making provision for the poor*, was read a second time, and ordered to be committed to Mr. Bullitt, Mr. Jefferson, and Mr. Terry.

Ordered, That Mr. Lockhart and Mr. Pendleton, be added to the committee appointed to prepare and bring in a bill *For encouraging the making hemp, woollen, linen, and other manufactures*.

Resolved, That any five members of the committee appointed to bring in a bill pursuant to the resolutions of this House on the 19th of *November* last, on the subject of religion, be a sufficient number to proceed to business.

Ordered, That Mr. Pendleton be added to the Committees of Propositions and Grievances and of Publick Claims.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate,—For dissolving the several county and corporation committees within this Commonwealth,—For the naturalization of foreigners*, and the order for receiving the report from the committee of the whole House upon the bill *Declaring what shall be treason*, being read,

Ordered, That the same be put off till *Tuesday* next.

Adjourned till *Monday*, 10 o'clock.

## MONDAY, November 25, 1776.

An engrossed bill, *For altering the place of holding courts in the county of Halifax*, was read a third time.

Resolved, That the said bill do pass, and that Mr. Terry do carry the same to the Senate for their concurrence.

Mr. Starke, from the Committee of Propositions and Grievances, to whom the bill *For establishing a town at the Warm Springs, in the county of Berkeley*, was committed, reported, that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Ordered, That the said bill, with the amendments, be engrossed and read a third time.

An engrossed bill, *To appoint commissioners to dispose of the lands and slaves formerly purchased pursuant to an act intituled An act for encouraging the making wine*, was read a third time.

Resolved, That the said bill do pass, and that Mr. Meriwether do carry the same to the Senate for their concurrence.

An engrossed bill, *For dividing the county of Fincastle into two distinct counties*, was read a third time.

Resolved, That the said bill do pass, and that the title be *An act for dividing the county of Fincastle into three distinct counties, and the parish of Botetourt into four distinct parishes*.

Ordered, That Mr. Campbell do carry the same to the Senate for their concurrence.

Mr. Jefferson, from the committee appointed, presented, according to order, a bill *For establishing a Court of Appeals*.

Also a bill *For establishing a High Court of Chancery*.

Also a bill *For establishing a General Court and Courts of Assize*; which were severally read the first time, and ordered to be read a second time.

An engrossed bill, *To empower the justices of the county of Norfolk to hold courts at such place as they shall appoint, and for other purposes therein mentioned*, was read a third time.

Resolved, That the said bill do pass, and that Mr. Curle carry the same to the Senate for their concurrence.

Ordered, That Mr. Tabb have leave to be absent from the service of this House for the remainder of the session.

Mr. Starke, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petitions of *Arthur Upshur*, and *Nathaniel Tyson*, to them referred, and have agreed upon the following report and resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It appears to your committee, that *John Goodrich* the elder, being empowered by the country to lay out the sum of 5000*l.* sterling in the purchase of gunpowder, did for that purpose send out vessels to the island of *St. Eustatia*; that some time after the sailing of the said vessels the said *John Goodrich* received a letter from his son *William*, then in *St. Eustatia*, informing him that 2000*l.* worth of gunpowder was daily expected to arrive there from *Bourdeaux*; that the said *John Goodrich*, understanding lord *Dunmore*, who then lay at *Norfolk*, had got information respecting the purpose for which the said vessels went out, and would therefore probably intercept them on their re-



turn, unless the orders given to the skippers of the said vessels at the time of their going out were countermanded, agreed to give to the petitioner *Arthur Upshur* the sum of 100*l.* for the run of his said vessel to *St. Eustatia*, to carry such countermanding orders, and to take in there any powder, if necessary. It also appears to your committee, that the petitioner's vessel did perform the voyage to *St. Eustatia*.

*Resolved*, That the petition of the said *Arthur Upshur* is reasonable, and that he ought to be paid the sum of 100*l.* by the publick.

*Resolved*, That the petition of the said *Nathaniel Tyson*, praying that 540 paper dollars, which were lost out of his pocket in the city of *Philadelphia*, being part of a larger sum he received from the committee of the county of *Northampton* to purchase cannon and other warlike stores, may be reimbursed him by the publick, be rejected, for want of proper proof.

*Ordered*, That Mr. *Starke* do carry the first resolution to the Senate for their concurrence.

*Ordered*, That leave be given to bring in a bill *For settling the salaries of the Speakers of the two Houses of Assembly*, and that Mr. *Starke* and Mr. *Lee* do prepare and bring in the same.

A bill *For establishing a town on the land of Mr. Cuthbert Bullitt, near the mouth of Quantico, in the county of Prince William*, was read a second time, and ordered to be committed to Mr. *Ewell*, Mr. *Campbell*, the members for *Fairfax*, *Loudoun*, and *Stafford*.

The Speaker laid before the House a letter from the Governour; which was read, and ordered to lie upon the table.

Mr. *Zane*, from the committee appointed, presented, according to order, a bill *To enable persons living in other countries to dispose of their estates in this Commonwealth with more ease and convenience*; which was read the first time, and ordered to be read a second time.

Adjourned till to-morrow, 10 o'clock.

## TUESDAY, November 26, 1776.

Mr. *Wood*, from the committee to whom the reports of *John Harvie* and *Joseph Neaville*, were referred, reported, that the committee had, according to order, examined the same, and stated an account of such thereof as appear to be just, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table.

*Resolved*, That the said claims are reasonable, and that the several claimants ought to be allowed the same by the publick.

*Ordered*, That the said account and resolution do lie on the table.

An engrossed bill, *For dividing the county of Fincastle into two distinct counties*, was read a third time; and on the question put that the said bill do pass,

It passed in the negative,

*Resolved*, That the said bill be rejected.

*Ordered*, That the Speaker be desired to enclose the several resolutions of the General Assembly, giving instructions to our Delegates in General Congress, to the Governour, requesting him to transmit the same to the said Delegates.

The House being informed that the remains of the Hon. *Peyton Randolph*, deceased, the late worthy Speaker of the House of Burgesses, were conveying from the city of *Philadelphia* to this city to be interred,

*Resolved, unanimously*, That this House, desirous of paying every mark of respect to the memory of the said *Peyton Randolph*, Esq. will meet his corpse at the verge of the city, at three o'clock this afternoon, and attend the interment thereof; that a message be sent to the Senate, desiring they will accompany the members of this House on that occasion.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the petition of *Elizabeth Foster*, and had agreed to the following report and resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It appears to your committee, that *John Foster*, the petitioner's husband, was on the 27th day of *May* last, wounded by a cannon ball at *Gwyn's* island, in opposing the landing of lord *Dunmore's* forces, of which wound he died, and left the petitioner in distressed circumstances.

*Resolved, therefore*, That the said petition is reasonable, and that the petitioner be allowed the sum of 20*l.* for her present support.

*Ordered*, That Mr. *Lee* do carry the same to the Senate for their concurrence.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this commonwealth*,—*For the naturalization of foreigners*, and *To amend an ordinance intitled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, being read,

*Ordered*, That the same be put off till to-morrow.

Mr. Treasurer, from the committee of the whole House, reported, that the committee had, according to order, had under their consideration a bill *Declaring what shall be treason*, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and on a motion made,

*Ordered*, That the said bill be recommitted to the said committee.

The House accordingly resolved itself into the said committee, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had gone through the said bill, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

*Ordered*, That Mr. *Williams* have leave to be absent from the service of this House for the remainder of the session.

The Speaker laid before the House a letter from the Governour, enclosing one from the President of the General Congress, and several resolutions of that honourable body; which were read, and ordered to lie upon the table.

Adjourned till to-morrow, 10 o'clock.

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### WEDNESDAY, November 27, 1776.

A message from the Senate by Mr. *Bland*.

MR. SPEAKER,

The Senate do recede from the several amendments made by them to the bill intituled *An act for reviving several publick warehouses for the reception of tobacco, and other purposes*, to which this House have disagreed, except the 20th amendment disagreed to by this House, upon which they do insist, and desire the House will recede from their disagreement to the said amendment.

They have also agreed to the amendments proposed by this House to the amendments made by them; and he delivered the same in at the bar, and then withdrew.

The House proceeded to take the said 20th amendment into consideration, and the same being read,

*Resolved*, That this House doth recede from their disagreement to the said amendment.

*Ordered*, That a message be sent to the Senate, to inform them that this House hath receded from their disagreement to the 20th amendment proposed by them to the bill intituled *An act for reviving several publick warehouses for the reception of tobacco, and other purposes*; and that Mr. *Starke* do carry the said message.

Mr. *Carter*, from the committee to whom the bill *To establish storehouses at the head of Potowmack creek*, was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. *Starke*, from the committee appointed, presented, according to order, a bill *For giving salaries to the Speakers of the two Houses of the General Assembly*; which was read the first time, and ordered to be read a second time.

Mr. *Braxton*, from the Committee of Propositions and Grievances, to whom the bill *To establish a ferry over the Fluvannah river, from the land of Henry Trent, in the county of Amherst, to the land of Nicholas Davies, in the county of Bedford*, was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. *Bland*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for the inspection of pork, beef, flour, tar, pitch, and turpentine*, with amendments, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

A bill *For establishing a Court of Appeals*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will to-morrow resolve itself into a committee on the said bill.

A bill *For establishing a General Court and Courts of Assize*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the said bill, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.



The Speaker laid before the House a letter from the Governour, enclosing one from col. *Christian*, on the subject of *Indian* affairs; which was read, and ordered to lie upon the table.

*Ordered*, That Mr. *Curle* have leave of absence from the service of this House until *Monday* next, and Mr. *Zane* for the remainder of the session.

*Ordered*, That the committee for the county of *Elizabeth City* do lay before this House an account of the salt by them delivered for the inhabitants of the several counties pursuant to a resolution of the Convention in *December* last.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *Declaring slaves to be personal estate—For dissolving the several county and corporation committees within this commonwealth—For the naturalization of foreigners*, and *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, being read,

*Ordered*, That the same be put off till *Friday* next.

Adjourned till to-morrow, 10 o'clock.

## THURSDAY, November 28, 1776.

An engrossed bill, *For establishing a town at the Warm Springs, in the county of Berkeley*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Wood* carry the same to the Senate for their concurrence.

An engrossed bill, *Declaring what shall be treason*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Bullitt* carry the same to the Senate for their concurrence.

*Ordered*, That the Speaker be desired to issue a writ for the election of a delegate for the county of *Richmond*, in the room of Mr. *Charles M'Carty*, who hath accepted the office of sheriff for the said county.

Mr. *Bullitt*, from the committee appointed, presented, according to order, a bill *To amend an ordinance for providing arms and ammunition for the use of this colony*; which was read the first time, and ordered to be read a second time.

A message from the Senate by Mr. *Bland*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for dividing the county of Fincastle into three distinct counties, and the parish of Botetourt into four distinct parishes*, with amendments, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

A message from the Senate by Mr. *Lewis*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House, for paying to *John Hobday* the sums of 46*l.* 10*s.* and 124*l.* 11*s.* 6*d.* and to *Elizabeth Foster* the sum of 20*l.* and he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, resolved itself into a committee on the bill *For establishing a General Court and Courts of Assize*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the said bill, and had made a farther progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for altering the place of holding courts in the county of Halifax*, with amendments, to which they desire the concurrence of this House.

Also, to the bill intituled *An act to appoint commissioners to dispose of the lands and slaves formerly purchased pursuant to an act intituled An act for encouraging the making wine*, without any amendment.

Also, to the resolutions of this House, for paying the sum of 10*l.* 13*s.* to *Daniel Lawson* and *George Garland*; and he delivered the same in at the bar, and then withdrew.

*Ordered*, That Mr. *Griffin* and Mr. *Lee* be added to the Committee of Trade.

A message from the Senate by Mr. *Holt*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to empower the justices of the county of Norfolk to hold courts at such place as they shall appoint, and for other purposes therein mentioned*.

Also, to the resolution of this House, for paying *Arthur Upshur* the sum of 100*l.* and he delivered the same in at the bar, and then withdrew.

*Ordered*, That Mr. *Lewis* be added to the committee appointed to prepare and bring in a bill *For encouraging the making hemp, woollen, linen, and other manufactures*.

The orders of the day, for the House to resolve itself into a committee on the bill *For establishing a Court of Appeals*, being read,

*Ordered*, That the same be put off till to-morrow.

The House proceeded to take into consideration the amendments proposed by the Senate to the bill *For altering the place of holding courts in the county of Halifax*; and the said amendments were twice read, and, on the question severally put thereupon, agreed to by the House.

Ordered, That a message be sent to the Senate to acquaint them that this House hath agreed to the amendments by them proposed to the said bill; and that Mr. Terry do carry the said message.

A bill *To enable persons living in other countries to dispose of their estates in this commonwealth with more ease and convenience*, was read a second time.

Ordered, That the said bill be engrossed, and read a third time.

Mr. Jefferson, from the Committee of Privileges and Elections, reported, that the committee had, according to order, had under their consideration the petition of *Arthur Upshur*, to them referred, and had agreed to the following report and resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Your committee find, that the said *Arthur Upshur*, having several vessels on the stocks, cleared one of them out for the *British West Indies* on the 20th day of *July*, 1775, but that the said vessel was not launched until the 20th day of *August*; that on the second day of *September*, when the storm happened, the vessel had no part of her loading on board; that the said vessel sailed after the tenth day of *September* to one of the foreign *West India* islands, with a load of *Indian corn*; that on the second of *October* following, the committee of the county of *Accomack* proceeded to inquire into the matter, and on such inquiry declared the said *Arthur Upshur* had violated the continental association by sending out the said vessel, and ordered his case to be published in the *Virginia Gazette*; that after the return of the said vessel, the said *Upshur* (as appears from the minutes of the said committee) denying that he had intentionally violated the said association, voluntarily submitted the matter again to the determination of the committee, who, at a session held on the 8th day of *January*, 1776, upon farther inquiry, were of opinion that he had violated the said association ignorantly, but that having behaved obstinately, and ill afterwards, he ought to be fined, and they accordingly fined him 100*l.* which sum the said *Upshur* deposited in the hands of a member of the committee.

Your committee farther find, that the said petitioner hath, both before and since the said transaction, conducted himself as a friend to the *American cause*.

Resolved, That though the committee of *Accomack* were actuated by the best of motives, yet they erred in proceeding to impose a fine upon the petitioner, and that therefore the said fine ought to be restored to the said petitioner, by the person with whom it was deposited.

Resolved, That the petitioner, having violated the said association through ignorance, and having in other respects conducted himself as a friend to the *American cause*, ought to be restored to the rights of dealing and intercourse with his country.

Mr. Lee, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the petition of *Edward Garland*, to them re-committed, and had agreed to the following report and resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read.

Your committee find, that the petitioner was a lieutenant in capt. *Robert Ballard's* company of the first regiment of the *Virginia* forces, and that he was at *Norfolk* during most of the campaign there last winter; that about the first of *July* last, the petitioner, then in the continental service, was taken ill at Mr. *Anderson's* in the city of *Williamsburg*, and that the surgeon of the said regiment being also very sick, and unable to attend the petitioner, one of the mates attended him for some time, but could not afford him any relief; that doctor *Galt*, one of the surgeons to the publick hospital, being called upon as a private physician, visited the petitioner, discovered him to be dangerously ill, and recommended some skillful physician to be immediately employed; that in consequence thereof doctor *M'Clurg* was called upon, who, upon visiting the petitioner, discovered he had been mismanaged by the surgeon's mate, and was near the point of death; that his remaining at Mr. *Anderson's*, he thought, was very improper, and that he ought to be removed to some other place; he was therefore removed to Mrs. *Starke's*, where doctor *M'Clurg* visited him from the 9th of *July* to the 13th of *August*, most of which time the petitioner was delirious, and incapable of doing any thing for himself; that neither the petitioner, nor any person for him, applied to doctor *Rickman* (director of the publick hospital,) to visit him, if such application had been made, he should have attended him, though he was not obliged to do so; that the hospital was then crowded, and not sufficient room therein for the sick soldiers, and that it had not been customary to take in officers, but to visit them at their private lodgings.

Your committee farther find, that the petitioner has paid doctor *M'Clurg* for attending him the sum of 21*l.* 10*s.*, *Pasteur* and *Galt* for medicines furnished him the sum of 6*l.* 15*s.*, and *Elizabeth Starke* for boarding and nursing him the sum of 9*l.* amounting in the whole to 37*l.* 5*s.*

Resolved, That the said petition is reasonable, and that the sum of 37*l.* 5*s.* should be reimbursed the petitioner.

The said resolution being again read, was, on the question put, disagreed to by the House.

Resolved, That the said petition be rejected.

Mr. Henry, from the committee to whom the Treasurer's accounts were referred, reported, that the committee had, according to order, carefully examined and compared the said accounts with their proper vouchers, and having corrected such mistakes as occurred, find that they are all fairly and justly stated, and had agreed upon the following report; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.



It appears to your committee, that the several accounts of the old treasury are brought from a former settlement up to the 19th of *October* last inclusive, on which the balances stand as follows: There appears due to the Commonwealth, on the account styled the publick treasury a balance of 577*l.* 12*s.* 6*d.* halfpenny, on account of the treasury notes issued in 1769, a balance of 5,788*l.* 12*s.* on account of notes issued in 1771 and 1773, a balance of 28,523*l.* 18*s.* 5*d.* and on account of notes issued in 1774, a balance of 9,603*l.* out of which the treasurer is to have credit for 28,962*l.* a balance due to the fund of old treasury notes from the several other funds, for the farther sum of 75*l.* 5*s.* of the late emission burnt by the standing committee in *July* last, and for the farther sum of 2,082*l.* 17*s.* 6*d.* now burnt and destroyed by us; so that, upon the whole, there appears due to the publick on these several accounts a balance of 13,373*l.* 0*s.* 5*d.* halfpenny.

The new account commencing the first day of *September*, 1775, and brought up to the same period, stands thus: It appears to your committee, that there had been issued in treasury notes, under the several ordinances of Convention, the sum of 447,039*l.*; that there had been received into the treasury at different times, by orders of the Committee of Safety, and from several collectors and other persons, the sum of 28,793*l.* 19*s.* 3*d.* halfpenny, amounting in the whole to 475,832*l.* 19*s.* 3*d.* halfpenny; that the Treasurer had disbursed and paid on different accounts, arranged under their proper heads, the sum of 484,750*l.* 12*s.* 0*d.* halfpenny, so that on these several accounts there is due to the treasurer a balance of 8,917*l.* 12*s.* 9*d.* but, upon the whole, he is indebted to the publick the sum of 4,455*l.* 7*s.* 8*d.* halfpenny.

The business of the treasury having continued in constant progression from the day to which the said accounts were closed and laid before the House, the treasurer was desirous that we should examine the accounts of his subsequent receipts and disbursements, which we have done: It appears to your committee, that from that period there hath been received of one of the signers 960*l.* in parts of dollars, lately completed, and of several other persons the sum of 8,719*l.* 13*s.* 10*d.* farthing, in the whole 9,679*l.* 13*s.* 10*d.* farthing, and that the treasurer hath paid on different accounts the sum of 14,455*l.* 17*s.* 8*d.* halfpenny, so that the balance upon the whole in favour of the treasurer, on comparing the accounts referred to your committee with these subsequent transactions, appears to be 320*l.* 16*s.* 1*d.* three farthings. For the clearer elucidation of the foregoing particulars, your committee take leave to refer to the accounts, and the general state hereto annexed.

*Dr. the Treasurer in account with the publick.*

To balance of account publick treasury,	-	-	-	-	-	577	12	6	halfpenny
To balance of account of 10,000 <i>l.</i>	-	-	-	-	-	5,788	12	0	
To balance of account 30,000 <i>l.</i>	-	-	-	-	-	28,523	18	5	
To balance of notes issued in 1774,	-	-	-	-	-	9,603	0	0	
						44,493	2	11	halfpenny

To balance,	-	-	-	-	-	-	-	-	13,273	0	5	halfpenny
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To balance,	-	-	-	-	-	-	-	-	4,455	7	8	halfpenny
To cash received since the 19th of <i>October</i> , when the accounts were closed,	-	-	-	-	-	-	-	-	9,679	13	10	farthing
Balance,	-	-	-	-	-	-	-	-	320	16	1	3 farthings

									14,455	17	8	halfpenny
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*Per contra.*

By balance of account of old notes,	-	-	-	-	-	-	-	-	28,962	0	0	
By notes of 1775, burnt in <i>July</i> last,	-	-	-	-	-	-	-	-	75	5	0	
By notes now burnt,	-	-	-	-	-	-	-	-	2,082	17	6	
Balance,	-	-	-	-	-	-	-	-	13,373	0	5	halfpenny
									44,493	2	11	halfpenny

By balance of new account,	-	-	-	-	-	-	-	-	8,917	12	9	
Balance,	-	-	-	-	-	-	-	-	4,455	7	8	halfpenny

									13,373	0	5	halfpenny
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By sundry payments since the 19th of <i>October</i> ,	-	-	-	-	-	-	-	-	14,455	17	8	halfpenny
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By balance,	-	-	-	-	-	-	-	-	320	16	1	3 farthings
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*Resolved*, That the treasurer's accounts do pass, and that Mr. *Henry* carry the same to the Senate for their concurrence.

Adjourned till to-morrow, 10 o'clock.



FRIDAY, November 29, 1776.

The Speaker laid before the House a letter from *George Wythe*, Esquire, informing him of his readiness to obey the commands of this House, whensoever they should signify to him their pleasure that he should return and assist in the revision of the laws.

Also a letter from *James Mercer*, Esquire, resigning his seat as a member of the Privy Council.

Also a letter from the Governour, enclosing one from President *Rutledge* of *South Carolina*, with a letter from brigadier general *Howe*, requesting that Messrs. *Pinkney* and *Ladson*, officers from that State, may be permitted to recruit soldiers in this country; which were read, and ordered to lie upon the table.

Ordered, That leave be given to bring in a bill *To amend an act intituled An act for raising six additional battalions of infantry on the continental establishment*, and that Mr. *Page* and Mr. *Bullitt* do prepare and bring in the same.

Ordered, That Mr. *Carter* have leave to be absent from the service of this House until *Monday* next.

Mr. *Page*, from the committee appointed, presented, according to order, a bill *To amend an act intituled An act for raising six additional battalions of infantry on the continental establishment*; which was read the first time, and ordered to be read a second time.

On a motion made,

Resolved, That this House will on *Wednesday* next proceed by ballot to the appointment of a Delegate to represent this State in General Congress, in the room of *George Wythe*, Esq. who is appointed a revisor of the laws, and of a Privy Counsellor, in the room of *James Mercer*, Esq. who hath resigned, and that Mr. *Starke* do acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee on the bill *For establishing a General Court and Courts of Assize*; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the said bill, and had made a farther progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

Resolved, That this House will on *Monday* next again resolve itself into a committee on the said bill.

A bill *For establishing a High Court of Chancery* was read a second time, and ordered to be committed to a committee of the whole House.

Resolved, That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee; and after some time spent therein, the Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the said bill, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

Resolved, That this House will to-morrow again resolve itself into a committee on the said bill.

A message from the Senate by Mr. *Carrington*.

MR. SPEAKER,

I am directed by the Senate to lay before this House several petitions which have been presented to them from the inhabitants of the county of *Cumberland*, praying that the said county may not be divided.

The Senate have agreed to the resolutions of this House for paying to *Thomas Fambrough* the sum of 40s., *Joseph Haynes* 40s., *James Parsons* 3l. 15s., *Richard Bean* 2l. 9s. 4d., and *David Nowlen* 40s. and he delivered the same in at the bar, and then withdrew.

Ordered, That the petitions from the inhabitants of the county of *Cumberland*, sent to this House by the Senate, be referred to the Committee of Propositions and Grievances, to whom the bill for the division of the said county is committed.

Ordered, That Mr. *Gordon* have leave of absence from the service of this House until *Saturday* se'nnight, and Mr. *Jefferson* for the remainder of the session.

A bill *To amend an act intituled An act for raising six additional battalions of infantry on the continental establishment*, was read a second time.

Ordered, That the said bill be engrossed and read a third time.

Mr. Treasurer informed the House, that his indisposition had rendered him unable to undergo the laborious duties of his office with that alacrity and attention which its importance, and a regard to his own health required; that besides, the form of government having excluded that officer from election to a seat in the legislature, he found himself impelled to resign the office, lest he should be supposed to prefer his private emolument to the interest of his constituents; that he should have resigned sooner, but thought it improper to do so until the more pressing demands upon the treasury were satisfied, that the public affairs might not be embarrassed, or before he had fully accounted for the large sums of money with which he had been intrusted; but now that the money formerly raised had been all paid away, and his accounts examined and passed, he entreated the House to accept his resignation, with his most cordial thanks for their favour in the appointment. Whereupon it was

Resolved, unanimously, That the thanks of this House be given to *Robert Carter Nicholas*, esq. for his great assiduity, care and fidelity, in the execution of his office as treasurer, from which the House reluctantly dismiss him:

but as it may produce inconveniencies for him to give up the office immediately, the House desire he will continue to act therein until the end of this session of Assembly, when they will provide a successeur to take possession thereof.

Mr. Speaker accordingly returned the thanks of the House, and communicated the said request to Mr. *Nicholas*, standing in his place, who expressed great pleasure in having his publick conduct meet with the approbation of his country, and made his acknowledgments to the House for the agreeable manner in which they had dismissed him, and to the Speaker for having communicated the sentiments of the House to him with so much politeness, and added, that he would cheerfully continue to act until the end of this session, and then deliver up the office to his successeur, he trusted with clean hands, he could assure the House it would be with empty ones.

On a motion made,

*Ordered*, That leave be given to bring in a bill *To appoint a treasurer*, and that Mr. *Braxton* and Mr. *Starke* do prepare and bring in the same.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *Declaring slaves to be personal estate,—For dissolving the several county and corporation committees within this Commonwealth,—For the naturalization of foreigners, and To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

### SATURDAY, November 30, 1776.

*Ordered*, That Mr. *Burwell* have leave to be absent from the service of this House till *Monday* next, and Mr. *Garland* for the remainder of the session.

A message from the Senate by Mr. *Ellzey*.

MR. SPEAKER,

The Senate request an answer to their message, delivered you on the 30th of last month, relative to your resolution for placing the forts on the frontiers of this State under the direction of Congress; and then he withdrew.

A bill *To enable the vestry of the parish of Botetourt to purchase lands for a glebe, and for other purposes therein mentioned*, was read a second time, and ordered to be committed to the Committee for Religion.

The House took into consideration the message from the Senate, of the 30th of last month, and their message of this day; and the same being read,

*Resolved*, That the clerk of this House deliver to the clerk of the Senate all papers relative to any bill, order, or resolution, sent to them for their concurrence; all such papers to be returned to, and lodged with, the clerk of this House.

A message from the Senate by Mr. *Bland*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act declaring what shall be treason*, with amendments.

Also, to the bill intituled *An act for establishing a town at the Warm Springs, in the county of Berkeley*, with amendments, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

On a motion made,

*Resolved*, That the committee appointed to prepare and bring in a bill pursuant to the resolution of the whole House on the petitions of the several dissenters to be discharged therefrom, except as to so much of the third resolution as relates to exempting the several dissenters from the established church from contributing to its support, so much of the fifth as saves all arrears of salary to incumbents, and empowers vestries to comply with their contracts, excepting also the sixth resolution; and that it be an instruction to the said committee to receive a clause, or clauses, to make provision for the poor of the several parishes, to regulate the provision made for the clergy, and to empower the several county courts to appoint some of their members to take lists of tithables where the same hath not been already done.

An engrossed bill, *To amend an act intituled An act for raising six additional battalions of infantry on the continental establishment*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Page* carry the same to the Senate for their concurrence.

Mr. *Starke*, from the committee appointed, presented, according to order, a bill *For exempting the different societies of dissenters from contributing to the support and maintenance of the church as by law established, and its ministers, and for other purposes therein mentioned*; which was read the first time, and ordered to be read a second time.

The House took into consideration the amendments proposed by the Senate to the bill intituled *An act for dividing the county of Fincastle into three distinct counties, and the parish of Botetourt into four distinct parishes*.

The first amendment being twice read, was, on the question put, agreed to by the House.



The second and third amendments being also twice read, were, on the question severally put thereon, disagreed to by the House.

*Ordered*, That a message be sent to the Senate, to acquaint them the House have agreed to the first amendment by them proposed to the said bill, and have disagreed to the two last amendments, and to desire they will pass the bill with the amendments agreed to; and that Mr. *Campbell* do carry the said message.

*Ordered*, That Mr. *Mason*, Mr. *Cary*, Mr. *Clayton*, and Mr. *Russell*, be added to the committee appointed to prepare and bring in a bill *To encourage the making hemp, woollen, linen, and other manufactures.*

*Ordered*, That Mr. *Broxton*, Mr. *Banister*, Mr. *Fleming*, and Mr. *Henry*, be added to the committee appointed to prepare and bring in a bill pursuant to the resolutions of the whole House for making provision for the defence of this Commonwealth.

*Ordered*, That leave be given to bring in a bill *To alter the name of the county of Dunmore, and the town of Fineastle, in the county of Botetourt*; and that Mr. *Lockhart*, Mr. *Bowyer*, Mr. *Tipton*, and Mr. *Bird*, do prepare and bring in the same.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the petitions of *Bennit Tompkins* and *Andrew Waggoner*, to them referred, and had agreed upon a report, and come to several resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and are as follows:

Your committee find, that some time in *November* last four of the petitioner's slaves, together with several others, in attempting to get to lord *Dunmore*, were apprehended and sent to the publick jail; that at the time they were taken, sundry goods, to the value of twenty pounds, or thereabouts, were found in the possession of *Amy* and *Rachael*, two of the slaves in the petition mentioned, part of which goods were several gowns, earrings, and other wearing apparel, the property of *Elizabeth Tompkins*, whose trunk (in her absence from home,) had been broke open, and those articles taken thereout; that the committee appointed in *December* last to inquire into the several cases of the prisoners confined in the publick jail, reported, that *Rachael* and *Amy*, belonging to *Bennit Tompkins*, had been guilty of a robbery in the county of *York*, and the Convention thereupon ordered them to be committed to the jail of the proper county, there to remain till discharged by due course of law, but the county jail being insufficient to secure them, and there being no sheriff in the said county of *York* to convene a court for their trial, they were committed to the publick jail, and before trial could be had, the said *Amy* was taken sick with the jail fever, (which at that time raged violently in the said jail,) and removed from thence to the hospital, where she died of that disorder; that the other slave *Rachael* has not yet been tried for that offence, the reason of which (the publick jailer says he has been informed) is, that she was not the principal offender, but an accomplice, and was intended to have been made use of as a witness against the said *Amy* upon trial.

Your committee find, that the petitioner *Andrew Waggoner* was employed by the commanding officer at *Fort Pitt*, as an express with despatches to the Committee of Safety; that on his way to *Williamsburg*, his horse tired, and he applied to *Benjamin Chapman* of *Spotsylvania*, to hire another, who refused to hire, but offered to lend the petitioner a horse, provided he would engage to return him safe, or pay him the said *Chapman* (in case of failure) the sum of thirty pounds, to which the petitioner agreed, and then proceeded on his journey, leaving his own horse in the custody of the said *Chapman*; that the said *Chapman's* horse died on his way down, and the petitioner was obliged to hire another, for which he paid at the rate of ten shillings per day for nine days; that the petitioner has paid the said *Chapman* the said sum of thirty pounds for his horse, he refusing to deliver the petitioner his own until he had complied with his agreement; that the Committee of Safety have paid the petitioner the usual allowance of nine pence per mile as express, and reimbursed him part of the expense for the horse hire, but did not conceive themselves authorised to allow any thing for the horse that died.

*Resolved*, As the opinion of this committee, that the petition of *Bennit Tompkins* is reasonable, and that the said petitioner ought to be allowed the sum of 60*l*. for his said slave *Amy*.

*Resolved*, As the opinion of this committee, that the petition of *Andrew Waggoner* is reasonable, and that the said petitioner ought to be reimbursed the sum of 30*l*. for the said horse.

The said resolutions being read a second time, were, on the question severally put thereupon, disagreed to by the House.

*Resolved*, That the said petitions be rejected.

*Ordered*, That a committee be appointed to examine the enrolled bills; and that Mr. *Fleming*, Mr. *Cary*, Mr. *Prentiss*, Mr. *Madison*, Mr. *Read*, and Mr. *Page*, be of the said committee.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the Committee had, according to order, had under their consideration the petitions of *Anne Cocke*, *William Emery*, and *Dionysius Lester*, to them referred, and had agreed upon a report, and come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again read and agreed to.

Your committee find, that *Dick*, a slave the property of the petitioner *Anne Cocke*, was on the 7th day of *November* last, together with several others, impressed by order of the commanding officer to assist in transporting our troops across the ferry at *Jamestown*; that the said slave *Dick*, together with one other, who wrought as a ferryman with him, in their attempting to recover a boat that was adrift the morning the troops marched from *Cobham*, it is supposed were taken by a tender belonging to the *Kingfisher* sloop of war, as a boat with two hands were seen about that time by some people on shore to be brought to by the said tender a little below *Cobham*, the men taken on board

the said tender, and the boat let loose; that one of the slaves, who was supposed to have been taken as aforesaid, has not since been heard of, but the other, after some time, returned home.

Your committee find that a ferry boat, the property of the petitioner *William Emery*, was impressed by order of the commanding officer to transport our troops across the ferry at *Jamestown*; that the said boat was detained by the commanding officer during the stay of the troops at *Edwards's* landing, and although often applied for by the petitioner, yet hath not been returned, neither hath he received any information respecting the same; that on the morning the troops marched from that place, two negroes belonging to Mrs. *Anne Cocke* went in the petitioner's boat to recover another that was adrift, and it is supposed were taken by the enemy in the attempt, as at that time a boat with two hands were seen to be brought to by a tender a small distance below the said *Edwards's* landing, the men taken on board her, and the boat turned adrift.

*Resolved*, That the petition of the said *Anne Cocke* is reasonable, and that the petitioner ought to be allowed the sum of 75*l.* for the said slave *Dick*.

*Resolved*, That the petition of the said *William Emery* is reasonable, and that the petitioner ought to be allowed the sum of 20*l.* 8*s.* 5*d.* for his boat.

*Resolved*, That the petition of the said *Dionysius Lester*, praying an allowance for the boat therein mentioned, which was taken by order of the commanding officer to transport our troops across the ferry at *Jamestown*, and never returned, is reasonable, and that the petitioner ought to be allowed for the said boat, and lying out of the use of her, the sum of 12*l.*

*Ordered*, That Mr. *Lee* do carry the said resolutions to the Senate for their concurrence.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the bills *Declaring slaves to be personal estate,—For dissolving the several county and corporation committees within this Commonwealth,—For the naturalization of foreigners,—To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony,—For establishing a Court of Appeals, and for establishing a High Court of Chancery*, being read,

*Ordered*, That the same be put off till Monday next.

Adjourned till Monday, 10 o'clock.

## MONDAY, December 2, 1776.

*Ordered*, That the committee appointed to bring in a bill *For the dissolution of the several vestries within this Commonwealth*, be discharged from the same.

The Speaker laid before the House a letter from *Richard Kidder Meade*, expressing his acknowledgments to the General Assembly for the honour done him in promoting him to the rank of lieutenant colonel, and declining to accept the said appointment.

On a motion made,

*Resolved*, That the present demand for men in this State to raise and complete fifteen battalions of infantry, according to the requisition of Congress, and to provide for our own internal defence, will not permit recruiting officers from other States to raise men in this until our own levies are completed; and that, notwithstanding our inclination upon all occasions to assist a sister State, our own necessity compels us to restrain the officers from *South Carolina* from enlisting men in this State, and to direct that all officers from other States, who have hitherto obtained permission to recruit in this, do immediately desist from such recruiting business. And that Mr. *Page* do carry the same to the Senate for their concurrence.

The House took into consideration the amendment proposed by the Senate to the bill *Declaring what shall be treason*; and the said amendment being twice read, was, on the question put, disagreed to by the House.

*Ordered*, That a message be sent to the Senate, to acquaint them that this House have disagreed to the said amendment by them proposed to the bill *Declaring what shall be treason*; and that Mr. *Bullitt* do carry the said message.

Mr. *Tulbot*, from the committee to whom the bill *To establish the places of holding courts in the counties of Pittsylvania and Henry*, was committed, reported, that the committee had, according to order, had the same under their consideration, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

The House took into their consideration the amendments proposed by the Senate to the bill *For establishing a town at the Warm Springs, in the county of Berkeley*; and the first, second, and fourth amendments, being twice read, were, on the question put, disagreed to; and the third amendment being also twice read, was agreed to by the House.

*Ordered*, That a message be sent to the Senate, to acquaint them that this House have disagreed to the first, second, and fourth amendments, by them proposed to the bill *For establishing a town at the Warm Springs, in the county of Berkeley*, and have agreed to the third amendment, and to desire they will pass the bill with the amendment agreed to.

*Ordered*, That Mr. *Wood* do carry the said message.



A bill *For giving salaries to the Speakers of the two Houses of the General Assembly*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

The House took into their consideration the amendments proposed by the Senate to the bill *For the inspection of pork, beef, flour, tar, pitch, and turpentine*; which were twice read, and agreed to.

*Ordered*, That Mr. Adams do acquaint the Senate therewith.

Mr. Adams, from the Committee of Trade, reported, that the committee had, according to order, prepared a bill *For the appointment of naval officers, and ascertaining their fees*; which was read the first time, and ordered to be read a second time.

A bill *For exempting the different societies of dissenters from contributing to the support and maintenance of the church as by law established and its ministers, and for other purposes therein mentioned*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will to-morrow resolve itself into the said committee.

A bill *To restrain the operation of the acts for limitations of actions and recording deeds in certain cases*, was read a second time, and ordered to be committed to Mr. Henry, Mr. Bullitt, Mr. Mason, Mr. Starke, and Mr. Fleming.

*Ordered*, That it be an instruction to the committee appointed to prepare and bring in a bill pursuant to the resolutions of a committee of the whole House, *For providing for the defence of this country*, that they divide the subject-matter of the said resolutions into two distinct bills.

*Ordered*, That Mr. Cralle have leave to be absent from the service of this House for the remainder of the session.

An engrossed bill, *For establishing a ferry over the Fluvannah river, from the land of Henry Trent, in the county of Amherst, to the land of Nicholas Davies, in the county of Bedford*, was read a third time.

*Resolved*, That the said bill do pass, and that the title be *A bill for establishing several new ferries and discontinuing a former ferry*.

*Ordered*, That Mr. Braxton do carry the said bill to the Senate for their concurrence.

An engrossed bill, *For establishing publick storehouses at the head of Potowmack creek, for the reception of naval stores*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Carter carry the same to the Senate for their concurrence.

An engrossed bill, *To enable persons living in other countries to dispose of their estates in this Commonwealth with more ease and convenience*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Zane carry the same to the Senate for their concurrence.

A bill *To amend an ordinance intituled An ordinance for providing arms and ammunition for the use of this colony*, was read a second time, and ordered to be committed to Mr. Bullitt and the members for Spotsylvania and King George.

The House took into consideration the account of sundry claims stated by the committee to whom the reports of John Harvie and John Neaville were referred, and the resolution thereupon reported on the 26th of November last, and ordered to lie on the table; and the same were again read, and agreed to.

*Ordered*, That Mr. Wood do carry the same to the Senate for their concurrence.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For the naturalization of foreigners*,—*To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*,—*For establishing a Court of Appeals*,—*For establishing a High Court of Chancery*, and *For establishing a General Court and Courts of Assize*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

TUESDAY, December 3, 1776.

*Resolved*, That this House will to-morrow proceed by ballot to the appointment of a major commandant to the six troops of horse raised in this Commonwealth, and of a lieutenant colonel in the room of Richard Kidder Meade, Esq. who hath resigned the said appointment; and that Mr. Starke, and Mr. Tazewell, do acquaint the Senate therewith.

Mr. Bullitt, from the committee to whom the bill *To amend an ordinance for providing arms and ammunition for the use of this colony*, was committed, reported, that the committee had, according to order, had under their

consideration the said bill, and had made an amendment thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

On the question put, that the said bill, with the amendments, be engrossed and read a third time,

It passed in the negative,

*Resolved*, That the said bill be rejected.

For expediting the enlistment of the six new battalions directed to be raised for continental service,

*Resolved*, That the Treasurer of this Commonwealth do advance and pay on the order of brigadier general *Lewis*, the bounty money allowed by Congress to each non-commissioned officer and soldier, and also so much as is allowed for recruiting expenses, the whole to be replaced in the treasury so soon as may be convenient to the continental paymaster, or such other person as may be authorised by the General Congress.

*Ordered*, That Mr. Treasurer do carry the said resolution to the Senate for their concurrence.

Mr. *Braxton*, from the Committee of Propositions and Grievances, to whom the bill *For dividing the county of Cumberland into two distinct counties*, was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

An engrossed bill, *For giving salaries to the Speakers of the two Houses of the General Assembly*, was read the third time.

*Resolved*, That the said bill do pass, and that Mr. *Starke* carry the same to the Senate for their concurrence.

*Ordered*, That leave be given to bring in a bill *For better carrying on the works at the lead mines*; and that Mr. *Braxton*, Mr. *Bullitt*, Mr. *Adams*, Mr. *Talbot*, Mr. *Campbell*, and Mr. *Lynch*, do prepare and bring in the same.

Mr. *Braxton*, from the Committee of Propositions and Grievances, presented, according to order, a bill *To empower the vestries of the parish of St. James and Amherst to fix the rate of paying the levies thereof in tobacco*; which was read the first time, and ordered to be read a second time.

Mr. Treasurer, from the committee appointed, presented, according to order, a bill *To make provision for defraying the expenses of erecting fortifications, and other purposes*; which was read the first time, and ordered to be read a second time.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of *William Blaikley*, praying to be allowed for the damage done his horses which were impressed to convey criminals from *Pittsylvania* to the publick jail, is reasonable, and that the petitioner be allowed the sum of 40s. for the same.

*Resolved*, That the petition of *William M'Farlin*, praying to be allowed for his services as superintendent of waggons on the expedition under lord *Dunmore*, is reasonable, and that the petitioner be allowed soldier's pay, being 1s. 6d. per day, for 159 days, the time he was employed in that service, which amounts to the sum of 11l. 18s. 6d.

*Resolved*, That the petition of *James Higgin*, praying to be allowed the expense he was at in employing a physician to attend him when he was sick in the continental service, be rejected.

*Resolved*, That the memorial of *Turner Southall*, praying to be allowed for 32 cords of wood furnished the prisoners sent to *Richmond* by the commanding officer of the *Virginia* forces, is reasonable, and that the memorialist be allowed the sum of 16l. for the same.

*Ordered*, That Mr. *Lee* do carry the 1st, 2d, and 4th of the said resolutions to the Senate for their concurrence.

The House, according to the order of the day, resolved itself into a committee on the bill *For establishing a High Court of Chancery*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

The House, according to the order of the day, resolved itself into a committee on the bill *For exempting the different societies of dissenters from contributing to the support and maintenance of the church as by law established and its ministers, and for other purposes therein mentioned*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the said bill, and had made a considerable progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.

The orders of the day, for the House to resolve itself into a committee upon the state of the country, and on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For the naturalization of foreigners*,—*To amend an ordinance intitled An ordinance for establishing a mode of punishment for the enemies of America in this colony*,—*For establishing a Court of Appeals*, and *For establishing a General Court and Courts of Assize*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.



WEDNESDAY, December 4, 1776.

A message from the Senate by Mr. Ellzey.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to amend an act intituled An act for raising six additional battalions of infantry on the continental establishment.*

They have also agreed to ballot for a Delegate to represent this State in General Congress, in the room of *George Wythe*, Esq. of a Privy Counsellor, in the room of *James Mercer*, Esq. of a lieutenant colonel, in the room of *Richard Kidder Meade*, Esq. and of a major commandant of horse, agreeable to the resolutions of this House; and he delivered in the said bill at the bar, and then withdrew.

The Speaker laid before the House a letter from the officers of the minute battalion at *Portsmouth*, desiring they might be formed, as they now stand, into one of the new colonial battalions; which being read,

*Resolved*, That it be an instruction to the persons appointed to prepare and bring in a bill pursuant to the several resolutions *For making farther provision for the internal security and defence of the country*, that they provide for employing in the two battalions to be raised, the several officers in the two battalions of minute-men and volunteers formerly called into duty for the assistance of *North Carolina*, and since employed in the service of this commonwealth, who shall be willing to enter into the new battalions in their present rank.

Mr. *Bullitt*, from the committee to whom the bill *To amend the act intituled An act for better securing the payment of levies and restraint of vagrants, and for making provision for the poor*, was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

The House, according to the order of the day, being about to ballot for a Delegate to represent this State in General Congress, a Privy Counsellor, a Lieutenant Colonel in the room of *Richard Kidder Meade*, and of a Major Commandant of horse, several gentlemen were nominated as proper persons to be ballotted for.

*Ordered*, That Mr. *Starke*, Mr. *Carter*, Mr. *Tazewell*, and Mr. *Braxton*, do severally carry lists of the persons so nominated to the Senate.

Several messages from the Senate by Mr. *Stevens*, Mr. *Lee*, and Mr. *Matthews*, informing the House of the persons who had been nominated in the Senate as proper to be ballotted for.

The House then proceeded by ballot to the appointment of a Delegate to represent this State in General Congress; and the members having prepared tickets for the person to be appointed, and put the same into the ballot box, Mr. *Jefferson*, Mr. *Curle*, Mr. *Tazewell*, and Mr. *Prentis*, were appointed a committee to meet a committee to be appointed by the Senate, and jointly with them to examine the ballot boxes, and report to the House upon whom the majority fell.

*Ordered*, That Mr. *Jefferson* acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, they had met a committee from the Senate in the conference room, and had, jointly with them, examined the ballot boxes, and that the majority was in favour of *Mann Page*, jun. Esq. of *Spotsylvania*.

*Resolved*, therefore, That the said *Mann Page*, Esq. be appointed a Delegate to represent this State in General Congress, in the room of *George Wythe*, esq., who is nevertheless empowered to continue to act in Congress until the said *Mann Page* shall take his seat therein.

*Ordered*, That Mr. *Jefferson* do carry the said resolution to the Senate, and desire their concurrence to so much thereof as relates to *George Wythe*, Esq., his continuing to act in Congress.

The House proceeded in the same manner to the appointment of a Privy Counsellor, and it appearing from the report of the committee appointed to examine the ballot boxes, that the majority was in favour of *David Jameson*, Esq.

*Resolved*, therefore, That the said *David Jameson*, Esq. be appointed a member of the Privy Council, in the room of *James Mercer*, Esq.

The House proceeded in the same manner to the appointment of a Lieutenant Colonel, and it appearing from the report of the committee appointed to examine the ballot boxes, that the majority was in favour of *George Baylor*, Esq.

*Resolved*, therefore, That the said *George Baylor*, Esq. be appointed a Lieutenant Colonel, in the room of *Richard Kidder Meade*, Esquire.

The House proceeded in the same manner to the appointment of a Major Commandant of the six troops of horse raised in this Commonwealth, and it appearing from the report of the committee, that the majority was in favour of *Theodorick Bland*, jun. Esq.

*Resolved*, therefore, That the said *Theodorick Bland*, jun. Esq. be appointed Major Commandant of the six troops of horse raised in this Commonwealth.

A message from the Senate by Mr. *Cabell*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House respecting the officers of other States recruiting in this, with an amendment, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

Mr. *Jefferson*, from the committee appointed, presented, according to order, a bill *For establishing a Court of Admiralty*, also a bill *For better regulating the proceedings of the county courts*; which was read the first time, and ordered to be read a second time.

A message from the Senate by Mr. *Holt*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House for paying 100*l.* to *Arthur Upshur*, and restoring him to the favour of his country.

Also to the resolutions for paying to *Anne Cocke* 75*l.*, to *Dionysius Lester* 12*l.*, and *William Emery* 20*l.* 8*s.* 5*d.*, and he delivered the same in at the bar, and then withdrew.

On a motion made,

*Resolved*, That it be an instruction to the committee appointed to prepare and bring in a bill *For making farther provision for the internal security and defence of this country*, that they receive a clause, or clauses, authorising the Governour, with the advice of the Privy Council, to provide a magazine of provisions sufficient for the subsistence of 10,000 men at least in the course of the next year, exclusive of what may be necessary for the regular troops which may be in the pay of this Commonwealth.

*Ordered*, That leave be given to bring in a bill *For the trial of offences committed out of this Commonwealth*; and that Mr. *Jefferson*, Mr. *Bullitt*, and Mr. *Muson*, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee on the bill *For exempting the different societies of dissenters from contributing to the support and maintenance of the church as by law established, and its ministers, and for other purposes therein mentioned*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. *Wood*, from the committee to whom the reports of *John Harvie* and *John Neaville* were referred, reported, that the committee had, according to order, examined such of the claims against the publick on account of the late expedition against the *Indians*, as remained unsettled, and had revised those that had been already settled in *West Augusta*, and had made a state of such claimants as appear to have been allowed sufficient by the commissioners, and of others who have failed to produce satisfactory proof in support of their claims, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the said claims be rejected.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the bills *Declaring slaves to be personal estate*,—*For dissolving the several county and corporation committees within this Commonwealth*,—*For the naturalization of foreigners*,—*To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*,—*For establishing a Court of Appeals*, and *For establishing a General Court and Courts of Assize*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

## THURSDAY, December 5, 1776.

An engrossed bill, *For dividing the county of Cumberland into two distinct counties*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Fleming* carry the same to the Senate for their concurrence. A message from the Senate by Mr. *Ellzey*.

MR. SPEAKER,

The Senate do insist on the amendments by them proposed to the bill intituled *An act for dividing the county of Fincastle into three distinct counties, and the parish of Botetourt into four distinct parishes*; also to the amendments by them proposed to the bill intituled *An act for establishing a town at the Warm Springs, in the county of Berkeley*; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the message from the Senate insisting on the amendments by them proposed to the bill intituled *An act for establishing a town at the Warm Springs, in the county of Berkeley*, and disagreed to by this House; and the said amendments being again read,

*Resolved*, That this House do recede from their disagreement to the said amendments, and propose amendments to the amendments proposed by the Senate.

*Ordered*, That a message be sent to the Senate, to acquaint them that this House do recede from their disagreement to the amendments proposed by them, and propose amendments to their amendments, to which they desire their concurrence; and that Mr. *Wood* do carry the said message.

*Ordered*, That Mr. *Ball* have leave of absence from the service of this House for the remainder of the session.



*Ordered*, That leave be given to bring in a bill *To empower the vestry of the parish of Westover, in the county of Charles City, to sell the lands appropriated to the use of the poor in the said parish;* and that Mr. *Jerill*, Mr. *Harwood*, and Mr. *Faulcon*, do prepare and bring in the same.

An engrossed bill, *For exempting the different societies of dissenters from contributing to the support and maintenance of the church as by law established, and its ministers, and for other purposes therein mentioned*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Starke* carry the same to the Senate for their concurrence.

An engrossed bill, *For establishing the places of holding courts in the counties of Pittsylvania and Henry*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Jefferson* carry the same to the Senate for their concurrence.

A message from the Senate by Mr. *Mason*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House for advancing the bounty money to the non-commissioned officers and soldiers of the six battalions of infantry to be raised in this Commonwealth on the continental establishment; and he delivered the same in at the bar, and then withdrew.

Mr. *Jefferson*, from the committee appointed, presented, according to order, a bill *For the trial of offences committed out of this Commonwealth*; which was read the first time, and ordered to be read a second time.

*Ordered*, That leave be given to bring in a bill *To suspend executions for debt*; and that Mr. *Mason*, Mr. *Jefferson*, Mr. *Adams*, Mr. *Bullitt*, Mr. Treasurer, and Mr. *Braxton*, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee on the bill *For establishing a General Court and Courts of Assize*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

*Ordered*, That the committee appointed to inquire into and report the progress and expense of the several publick salt works, do also examine and report the account of the salt delivered by the committee of the county of *Elizabeth City* for the inhabitants of the several counties, pursuant to a resolution of the Convention in *December* last.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the claim of *William Smith*, to them referred, and had agreed to the following report and resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Your committee find, that some time in *December*, 1775, the provincial army, being then on their march to the *Great Bridge*, lieutenant *William Sandford* was ordered out with a scouting party, and shot a negro man, for running from the troops, although he was repeatedly desired to stand, which negro did not appear to be armed; that the said negro was the property of the claimant, and worth 80*l*.

*Resolved*, That the said claim be rejected.

The Speaker laid before the House a letter from the Governour, enclosing one from the War Office in the city of *Philadelphia*, requesting that the light horse in the service of this State may be marched with all possible expedition to join general *Washington*; and the Governour also, in his letter, submitted to the House the propriety of the masters of the *College* having the appointment of surveyors to the new counties. Which being read,

*Resolved*, That the Governour be desired to give proper orders for the immediate march of the troops of horse raised in this Commonwealth, with their officers, to join general *Washington*, agreeable to the requisition of the War Office in *Philadelphia*, and to transmit to the said office a list of such articles as the said troops may stand in need of.

*Ordered*, That Mr. *Mason* do carry the said resolution to the Senate for their concurrence.

*Resolved*, That so much of the Governour's letter as relates to the masters of the *College*, their granting commissions to surveyors, be referred to the committee of the whole House.

*Resolved*, That this House will on *Monday* next resolve itself into the said committee.

Mr. *Braxton*, from the committee appointed, presented, according to order, a bill *To amend an ordinance intitled An ordinance for establishing a Board of Commissioners to superintend and direct the naval affairs of this colony, and for other purposes*; which was read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee upon the state of the country; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the letter from President *Page*, to him referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*. That *Chevalier St. Aubin* be appointed adjutant to the six troops of horse raised in this Commonwealth, to rank as junior captain of the squadron, and be allowed 7*s*. 6*d* per day.

*Resolved*, That there be allowed to the said squadron a surgeon, to be chosen by the major and captains of the same, and that his pay be 10*s*. per day.

*Resolved*, That the said squadron be allowed a chaplain, to be chosen by the officers aforementioned, and that his pay be 10*s*. per day.

*Resolved*, That each non-commissioned officer and common trooper in the said squadron be furnished, at the publick expense, with a coat, a cap, a pair of leather breeches, and a pair of boots and spurs, or twenty dollars in lieu thereof.

*Ordered*, That Mr. Treasurer do carry the said resolutions to the Senate for their concurrence.

A message from the Senate by Mr. *Mason*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House for marching the troops of horse raised in this commonwealth to join general *Washington*, agreeable to the requisition of the War Office in the city of *Philadelphia*, without any amendment.

They have also agreed to the bill intituled *An act for giving salaries to the Speakers of the two Houses of the General Assembly*, with an amendment, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

*Ordered*, That the Speaker be desired to issue a warrant for the election of a Delegate to serve in this House for the county of *Spotsylvania*, during the necessary absence of *Mann Page*, jun. esq. one of the delegates appointed to represent this State in General Congress.

Mr. *Griffin*, from the committee appointed, presented, according to order, a bill *To establish auditors of publick accounts*; which was read the first time, and ordered to be read a second time.

*Resolved*, That this House will to-morrow again resolve itself into a committee to take into their farther consideration the state of the country.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the bills *Declaring slaves to be personal estate—For dissolving the several county and corporation committees within this Commonwealth—For the naturalization of foreigners—To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony, and For establishing a Court of Appeals*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

#### FRIDAY, December 6, 1776.

*Ordered*, That the report and resolution upon the petition of *Arthur Upshur*, praying that the fine imposed on him by the committee of *Aecomack* might be remitted, and himself restored to the favour of his country, be published in the *Virginia Gazette*.

Mr. *Acrill*, from the committee appointed, presented, according to order, a bill *To empower the vestry of the parish of Westover, in the county of Charles City, to sell the lands appropriated to the use of the poor of the said parish*; which was read the first time, and ordered to be read a second time.

A bill *To amend an ordinance intituled An ordinance for establishing a Board of Commissioners to superintend and direct the naval affairs of this colony, and for other purposes*, was read a second time, and ordered to be committed to Mr. *Braxton*, Mr. *Adams* and Mr. Treasurer.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for establishing several new ferries, and discontinuing a former ferry*, without any amendment; also, to the resolution of this House accepting of the proposal made by the General Congress for putting under their direction the forts at the mouth of *Wheeling* and the *Great Kanawah*, and the fort at *Pittsburg*, without any amendment; also, to the resolution giving instructions to our Delegates in Congress to propose to Congress that the prisoners of war now in possession of this commonwealth shall be delivered over to Congress, with an amendment, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

On a motion made,

*Resolved*, That it be earnestly recommended to the inhabitants to supply, at a reasonable price, for the use of the soldiers raised and to be raised in this commonwealth, as many blankets as they can possibly spare from their families; and that the Governour be empowered to appoint a proper person in each county to collect the same, and issue his warrant to the Treasurer for such sums of money as the purchases may amount to.

*Ordered*, That Mr. *Bullitt* do carry the said resolution to the Senate for their concurrence.

Mr. *Braxton*, from the committee appointed, presented, according to order, a bill *To empower the Governour and Council to employ persons for working the lead mines to greater advantage*; which was read the first time, and ordered to be read a second time.

The Speaker laid before the House a letter from the President of the General Congress, enclosing several resolutions of Congress; which were read, and ordered to be committed to the committee upon the State of the Country.



A message from the Senate by Mr. Mason.

MR. SPEAKER,

The Senate have agreed to the resolution of this House directing the several troops of horse raised in this commonwealth to join general *Washington*; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the amendment proposed by the Senate to the bill *For giving salaries to the Speakers of the two Houses of the General Assembly*; and the said amendment was read, and agreed to.

Ordered, That Mr. *Starke* do acquaint the Senate therewith.

A message from the Senate by Mr. *Rutherford*.

MR. SPEAKER,

The Senate do recede from the amendments by them proposed to the bill intituled *An act for establishing a town at the Warm Springs, in the county of Berkeley*, and disagreed to by the House, and have agreed to the amendments to their amendments; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the message from the Senate insisting on the amendments proposed to the bill intituled *An act for dividing the county of Fincastle into three distinct counties, and the parish of Botetourt into four distinct parishes*; and the said amendments being again read,

Resolved, That this House do insist on the disagreement to the said amendments, and that Mr. *Campbell* do acquaint the Senate therewith.

The orders of the day, for the House to resolve itself into a committee on the bills *Declaring slaves to be personal estate—For dissolving the several county and corporation committees within this commonwealth*, and *For the naturalization of foreigners*, being read,

Ordered, That the same be put off till the first day of the next session of Assembly.

The House, according to the order of the day, resolved itself into a committee upon the state of the country; and after some time spent therein, Mr. *Speaker* resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their farther consideration the state of the country, and had come to several resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Resolved, That the petition of the inhabitants of the town of *Alexandria* is reasonable.

Resolved, That the Governour be empowered to employ proper persons to purchase all the copper and brass that can be had in this commonwealth, and to take proper measures to have the same cast into such cannon, and of such form, as will be the most useful for the field, and issue his warrant to the Treasurer for such sums of money as may be necessary for that purpose.

Resolved, That our Delegates in Congress be instructed to apply to that body to fulfil such contracts as have been heretofore entered into by the executive power of this commonwealth for victualling and supporting the forts and garrisons belonging to the commonwealth upon the western frontiers, which, by a resolution of the present General Assembly, have been put under the direction of Congress.

Resolved, That a loan office be established for the purpose of borrowing money in this country for the use of the United States, and a commissioner appointed to superintend the said office according to a resolution of the General Congress of the 3d of *October* last, and under the regulations therein mentioned.

On a motion made,

Ordered, That it be an instruction to the committee appointed to prepare and bring in a bill *To make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned*, to receive a clause, or clauses, to empower the Governour, by and with the advice of the Privy Council, to form out of the two militia companies in the town of *Alexandria*, in the county of *Fairfax*, one artillery company, to consist of 50 matrosses, with proper officers, to be duly exercised at the batteries in the said town twice a week, and to mount proper guards at the same, to receive only, when upon duty, the same pay and provisions with other artillery companies, pursuant to the first resolution of the committee.

Ordered, That a committee be appointed to bring in a bill pursuant to the 4th resolution, and that Mr. *Starke*, Mr. *Mason*, Mr. *Treasurer*, Mr. *Braxton*, Mr. *Jefferson*, and Mr. *Fleming*, be of the said committee.

Ordered, That Mr. *Starke* do carry the second and third resolutions to the Senate for their concurrence.

The Speaker laid before the House a letter from the Governour; which was read, and ordered to lie on the table.

Mr. *Mason*, from the committee appointed, presented, according to order, a bill *For suspending executions for debt*; which was read the first time, and ordered to be read a second time.

Mr. *Braxton*, from the committee appointed, presented, according to order, a bill *For appointing a Treasurer*; which was read the first time, and ordered to be read a second time.

An engrossed bill, *To amend an act intituled An act for better securing the payment of levies and restraint of vagrants, and for making provision for the poor*, was read a third time.

Resolved, That the said bill do pass, and that Mr. *Bullitt* carry the same to the Senate for their concurrence.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House for paying to *William Blaikley* 40s., *William M'Farlin* 11l. 18s. 6d., and *Turner Southall* 16l.; and he delivered the same in at the bar, and then withdrew.

Mr. *Lee*, from the Committee of Public Claims, reported, that the committee had, according to order, had under their consideration, the petition of *John Knibb* and *Richard Rennard*, inspectors at *Bermuda Hundred* warehouse, to them referred, and had agreed to the following report and resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It appears to your committee, that some time in the month of *October*, 1771, the warehouse at *Bermuda Hundred* was broke open when locked, and 400 lbs. of transfer tobacco stolen thereout, for which the petitioners paid to the proprietors the sum of 4*l.* 4*s.* 4*d.* That in the night time of the 11th of *July*, 1772, the said warehouse was again broke open, and two hhds. of tobacco stolen thereout, one refused and unweighed hhd. the property of *Bowler Cocke*, and one other hhd. neat weight 1065 lbs. the property of *William Royal*, for which the petitioners paid to the said *Bowler Cocke* for his hogshead the sum of 6*l.*, and to the said *William Royal* for his hogshead the sum of 11*l.* 19*s.* 7*d.* halfpenny.

*Resolved*, That the said petition is reasonable, and that the petitioners ought to be reimbursed the several sums above mentioned, amounting to 22*l.* 3*s.* 11*d.* halfpenny.

*Ordered*, That Mr. *Lee* do carry the said resolution to the Senate for their concurrence.

A bill *For the appointment of Naval Officers, and ascertaining their fees*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will on *Monday* next resolve itself into a committee on the said bill.

The orders of the day, for the House to resolve itself into a committee upon the bills *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, and *For establishing a Court of Appeals*, being read,

*Ordered*, That the same be put off till to-morrow.

The House took into consideration the message from the Senate insisting on the amendment made by them to the bill intituled *An act declaring what shall be treason*; and the same being read,

*Resolved*, That this House do insist upon their disagreement to the said amendment, and that Mr. *Bullitt* acquaint the Senate therewith.

Mr. *Fleming* reported, from the committee appointed to examine the enrolled bills, that the committee had examined several of the said bills, and had rectified such mistakes as were found therein, and that they are truly enrolled.

*Ordered*, That Mr. *Fleming* do carry the said bills to the Senate for their inspection, and to request that, after they have examined the same, they have them signed by their Speaker, and returned to be signed by the Speaker of this House.

The House took into consideration the amendment proposed by the Senate to the resolution of this House *For restraining officers from other States from recruiting men in this State*; and the said amendment was read, and is as follows:

Strike out from the word *resolved* to the end of the resolution, and insert: *As it is essential to the safety of the American cause that the Southern States should speedily be put on such a respectable footing as may enable them to resist the attempts of the common enemy; that therefore the South Carolina officers be permitted to raise as many men in this Commonwealth as shall be sufficient to complete the quota of continental troops, required from that State, under the like restrictions as were heretofore imposed on the officers from South Carolina and Georgia, who have been permitted to recruit men in this State.*

The said amendment being read a second time, was, on the question put, agreed to by the House.

*Ordered*, That Mr. *Page* do acquaint the Senate therewith.

*Resolved*, That this House will to-morrow again resolve itself into a committee upon the state of the country.

Adjourned till to-morrow, 10 o'clock.

## SATURDAY, December 7, 1776.

Mr. *Starke*, from the Committee for Religion, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of sundry inhabitants of the parish of *Newport*, in the county of *Isle of Wight*, praying that the vestry of the said parish may be dissolved, is reasonable.

*Resolved*, That the petition of sundry inhabitants of *Stratton Major* parish, in the county of *King and Queen*, praying that the vestry of the said parish may be dissolved, is reasonable.

The House took into consideration the amendment proposed by the Senate to the resolution of this House relative to the disposition of the prisoners of war in the possession of this Commonwealth; which was read, and is as follows:  *Hoping that in the course of exchange the prisoners taken from this State will be first considered, and redeemed by the above mentioned prisoners*

The said amendment being read a second time, was, on the question put, agreed to by the House.

*Ordered*, That Mr. *Starke* do acquaint the Senate therewith.



Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the consideration of the petitions of divers inhabitants of the counties of *Culpeper* and *Orange*, praying that the secretary's, county court clerks, and surveyors fees, may be reduced, be deferred until the next session of Assembly.

*Resolved*, That the petition of divers inhabitants of the county of *Culpeper*, praying that the mode of appointing sutlers may be altered and their profits regulated, be rejected, there being already sufficient provision made for that purpose.

On a motion made,

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding on the petition of sundry inhabitants of the county of *Loudoun*, and that the same be referred to the Committee upon the State of the Country.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petition of *William Savage*, to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the said *William Savage* be allowed to take the depositions of such of his witnesses as reside without this Commonwealth, and that he give reasonable notice of the time and place of taking the depositions of those witnesses who reside in the city of *Philadelphia*, to some one of our Delegates in Congress, who are requested to employ an attorney on behalf of the Commonwealth, to attend the taking thereof.

*Resolved*, That the said *Savage* be allowed to take the depositions of his witnesses residing in the counties of *Prince William* and *Fairfax*, giving reasonable notice to one or both of the Delegates of each county respectively, of the time and place of taking the same.

*Resolved*, That the farther consideration of the said petition be deferred until the second *Monday* of the next session of Assembly.

The House, according to the order of the day, resolved itself into a committee upon the state of the country; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration several petitions from persons who had sustained damage by the soldiery, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the consideration of the petitions of sundry persons, praying to be allowed for the damage they had sustained by the soldiery, be postponed till the next session of Assembly.

On a motion made,

*Resolved*, That this House will on *Monday* next resolve itself into a committee to take into their farther consideration the state of the country.

Mr. Treasurer, from the committee appointed, presented, according to order, a bill *For making farther provision for the defence and protection of this country*; which was read the first time, and ordered to be read a second time.

The House, according to the order of the day, resolved itself into a committee on the bill *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their farther consideration the said bill, and had made several amendments thereto, which he was ready to report when the House should be pleased to receive the same.

*Ordered*, That the said report be received on *Monday* next.

A message from the Senate by Mr. *Cabell*.

MR. SPEAKER,

The Senate do recede from their amendments to the bill intituled *An act for dividing the county of Fincastle into three distinct counties, and the parish of Botetourt into four distinct parishes*, to which this House disagreed, and have passed the said bill without the amendments.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee having, according to order, inspected the report of the Committee of Claims at the last session, and also read, considered, and regulated the several claims presented to this Assembly, had entered such of the said claims as were allowed in a book, and had directed him to report the same to the House; and he read the said report in his place, and afterwards delivered the book in at the clerk's table.

*Ordered*, That the book of publick claims do lie upon the table, to be perused by the members of this House.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have inspected the enrolled bills, and are satisfied they are truly enrolled; and the same are signed by the Speaker of the Senate.

The order of the day, for the House to resolve itself into a committee on the bill *For establishing a Court of Appeals*, being read,

*Ordered*, That the same be put off till *Monday* next.

Adjourned till *Monday*, 10 o'clock.

MONDAY, December 9, 1776.

Mr. Wood, from the committee appointed to examine the reports of *John Harvie* and *Joseph Neaville*, to whom it was referred to settle such of the claims against the publick as remained unsettled, and to revise those that had been settled in *West Augusta*, reported, that the committee had agreed upon the following reports and resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It appears to your committee, by the testimony of sundry witnesses, that while the forces under the command of the earl of *Dunmore*, on the late expedition against the *Indians*, were encamped near the *Shawanese* towns, col. *William Crawford* was ordered to take the command of a detachment of 250 men, and to march against a town of the *Seneca* nation of *Indians*, distant from the camp about 30 miles, his lordship at the same time assuring him that if any plunder was taken it should be equally divided among the captors.

It farther appears, that the party took at the said town several prisoners, with plunder in *Indian* goods, horses, silver trinkets, and other articles, which were sold by consent of the said captors, the sale amounting to 305*l.* 15*s.* halfpenny, when the captains of each company became responsible for the purchases made by their men. It likewise appears, that another party, commanded by col. *M'Donald*, on an expedition against the upper *Shawanese* towns, after destroying the same, took plunder, which was sold in like manner, to the amount of 35*l.* 11*s.* 3*d.* It farther appears to your committee, that the commissioners, on settling the expenses of the late *Indian* war, stopped out of the pay of the different officers the said two sums, amounting in the whole to 341*l.* 6*s.* 3*d.* halfpenny.

It appears to your committee, by the testimony of sundry witnesses, that on the expedition against the upper *Shawanese* town, *John Hardin*, jun. a private soldier in the company commanded by capt. *Morgan*, received a wound with a ball in an engagement with the enemy, which penetrated his thigh and lodged near his groin, and which at times occasions considerable pain and inconvenience.

*Resolved*, That the captors had an undoubted right to the said plunder, and in order that strict justice should be done them a commissioner ought to be appointed to receive from the treasury the said sum of 341*l.* 6*s.* 3*d.* halfpenny, and to call upon each of the officers who commanded parties in the said detachments (on oath) for lists of the names of the men who served, and that the said commissioner pay each of them their proportionable parts of the said sum of money.

*Resolved*, That the said *John Hardin*, jun. ought to be allowed the sum of 20*l.* in consideration of the wound he received in the service of this country.

*Ordered*, That Mr. *James Wood* be appointed a commissioner for the purposes mentioned in the first of the said resolutions.

*Ordered*, That he carry the said resolutions to the Senate for their concurrence.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration several claims to them referred, and had agreed upon the following report and resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It appears to your committee, that the claims of *Isaac Israel*, *John Hyser*, *William Dark*, and *John and William Ingles*, for provisions by them furnished for the use of the said two companies, before the passing the ordinance appointing them to be raised, were, upon being presented to the commissioners appointed to settle the accounts of this Commonwealth, altogether rejected.

It also appears, that the said companies were, after passing the said ordinance, lodged in the houses of, and supplied with provisions by, *Isaac Israel*, *John Hyser*, *Daniel Culp*, *Henry Yeager*, *Adam Bishop*, *William Dark*, *Philip Coon*, *John* and *William Ingles*, and *Cornelius Connaway*, who have only been allowed by the said commissioners after the rate of six pence halfpenny per day for the same; that the said provisions were dressed and served by the said several persons, who had much trouble therewith.

It also appears to your committee, that the account of *John Blair*, for supplying the said companies with 438 days subsistence, was totally rejected by the said commissioners.

*Resolved*, That *Isaac Israel* be allowed the sum of 17*l.* 14*s.* 3*d.*, *John Hyser* 2*l.* 10*s.* 4*d.* halfpenny, *William Dark* 1*l.* 2*s.* 2*d.* halfpenny, *John* and *William Ingles* 4*l.* 1*s.* 3*d.* for their several claims for provisions furnished for the use of the said two companies before the passing of the said ordinance.

*Resolved*, That *Isaac Israel*, *John Hyser*, *Daniel Culp*, *Henry Yeager*, *Adam Bishop*, *William Dark*, *Philip Coon*, *John* and *William Ingles*, and *Cornelius Connaway*, ought to receive an additional allowance of two pence halfpenny per day for supplying and dressing provision for 5899 days, and *Isaac T aylor* one penny per day for furnishing 2400 days subsistence for the use of the said companies after passing the said ordinance, as followeth:

To <i>Isaac Israel</i> , for	4328 rations at 2 <i>d.</i> halfpenny,	1 <i>l.</i> 45	1	8
<i>John Hyser</i> ,	625 do.	6	10	2
<i>Daniel Culp</i> ,	264 do.	2	15	0
do. do.	150 do.	1	11	3
<i>Henry Yeager</i> ,	58 do.	0	12	0 halfpenny
<i>William Dark</i> ,	69 do.	0	14	4 halfpenny
<i>Philip Coon</i> ,	190 do.	1	19	7



To John and W. Ingles,	195 rations at 2d. halfpenny,	2 7 0 halfpenny
Cornelius Connaway,	20 do.	0 4 2
Isaac Taylor,	2400 at 1d.	10 0 0

*Resolved*, That John Blair be allowed the sum of 16l. 8s. 6d. for 438 days provision, at 9d. per day, furnished for the said companies.

*Resolved*, That the claims of the said officers and soldiers, of an allowance of pay for the time they were embodied before the passing the said ordinance, be rejected.

*Ordered*, That Mr. Lee do carry the 1st, 2d, and 3d resolutions, to the Senate for their concurrence.

Mr. Starke, from the committee appointed, presented, according to order, a bill *For establishing an office for borrowing money for the use of the United States of America, and appointing a commissioner to superintend the same*; which was read the first time, and ordered to be read a second time.

On a motion made,

*Ordered*, That the second reading of the said bill be put off till the first day of the next session of Assembly.

*Ordered*, That the committee of the whole House be discharged from proceeding on that part of the Governour's letter which relates to the masters of the college, their granting surveyors commissions, and that the same be referred to the consideration of the next session of Assembly.

*Ordered*, That the second reading of the bill *To amend the several ordinances relating to the training of the militia, and for reducing the same into one act*, be put off till the first Monday in the next session of Assembly.

A bill *For establishing a Court of Admiralty*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A bill *For appointing a Treasurer*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will to-morrow resolve itself into a committee on the said bill.

A bill *For suspending executions for debt*, was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will to-morrow resolve itself into a committee on the said bill.

A message from the Senate by Mr. Ellzey.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to establish publick storehouses at the head of Potowmack creek for the reception of naval stores*, with amendments, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

And the said amendments being twice read, were, on the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Carter acquaint the Senate that the House have agreed to the amendments by them proposed to the said bill.

Mr. Carter, from the committee to whom the bill *For establishing the places of holding courts in the counties of Stafford and King George*, was committed, reported, that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Mason.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for exempting the different societies of dissenters from contributing to the support and maintenance of the church as by law established, and its ministers, and for other purposes therein mentioned*, with amendments.

Also to the resolution of this House recommending it to the inhabitants of this country to supply blankets for the use of the soldiery, with an amendment, to which amendments they desire the concurrence of this House.

They have also agreed to the resolution of this House giving instructions to our Delegates in General Congress to propose to Congress the defraying out of the continental treasury the expenses of the expedition of the southern Indians, without any amendment; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the book of publick claims, and several claims were added by the House.

*Resolved*, That the book of publick claims do pass, and that Mr. Lee carry the same to the Senate for their concurrence.

The orders of the day, for the House to resolve itself into a committee on the bill *For establishing a Court of Appeals*, being read,

*Ordered*, That the same be put off until the next session of Assembly.

A bill *To empower the vestry of the parish of Westover, in the county of Charles City, to sell the lands appropriated to the use of the poor of the said parish*, was read a second time, and committed to the Committee for Religion.

A bill *To empower the vestries of the parish of St. James and Amherst to fix the rate of paying the levies thereof in tobacco*, was read a second time, and ordered to be engrossed and read a third time.

Mr. Henry, from the committee to whom the bill *To restrain the operation of the acts for limitations of actions and recording deeds in certain cases*, was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Rogers.

MR. SPEAKER,

The Senate have agreed to the resolution of this House for paying the claims stated by the committee to whom the report of *John Harvie and Joseph Neaville* were referred; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the amendment proposed by the Senate to the resolution of this House recommending it to the inhabitants of this country to supply blankets for the use of the soldiery; and the said amendment was read, and is as followeth: After the word *blanket*, insert *or rugs*.

The said amendment being again read, was, on the question put, agreed to by the House.

*Ordered*, That Mr. Bullitt do acquaint the Senate therewith.

A message from the Senate by Mr. Holt.

MR. SPEAKER,

The Senate have agreed to the Treasurer's accounts; and he presented the said accounts at the bar, and then withdrew.

The House took into consideration the amendments proposed by the Senate to the bill *For exempting the different societies of dissenters from contributing to the support and maintenance of the church as by law established and its ministers, and for other purposes therein mentioned*; and the said amendments were twice read, and on the question severally put thereupon, agreed to by the House.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A bill *To establish auditors of public accounts* was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will to-morrow resolve itself into a committee on the said bill.

A message from the Senate by Mr. Mason.

MR. SPEAKER,

The Senate have agreed to the bill *For establishing the place of holding courts in the counties of Pittsylvania and Henry*, with amendments, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

The said amendments being read a second time, were, on the question severally put thereupon, agreed to by the House.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and upon the bill *For the appointment of Naval Officers, and for ascertaining their fees*, and for receiving the report of the committee to whom the bill *To amend an ordinance for establishing a mode of punishment for the enemies of America in this colony*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

## TUESDAY, December 10, 1776.

*Ordered*, That leave be given to bring in a bill *To prevent the engrossing of salt*; and that Mr. Carter, Mr. Terry and Mr. Mason, do prepare and bring in the same.

*Ordered*, That any five of the committee appointed to examine and report the progress and expense of the several publick salt works, be a sufficient number to proceed to business.

Mr. Bullitt, from the committee appointed, presented, according to order, a bill *To encourage the making of hemp, woollen, linen, and other manufactures*; which was read the first time, and ordered to be read a second time.

A message from the Senate by Mr. Lee.

MR. SPEAKER,

The Senate have agreed to the resolution of this House empowering the Governour to employ proper persons to purchase up all the copper and brass that can be had in this commonwealth, to be cast into cannon.



Also to the resolution giving instructions to our Delegates to propose to Congress to fulfil such contracts as have been entered into for victualling and supporting the forts and garrisons belonging to the commonwealth upon the western frontiers.

Also to the resolution for paying to *John Knibb* and *Richard Rennard* 22l. 3s. 11d. halfpenny; and he delivered the same in at the bar, and then withdrew.

A bill *For making farther provision for the internal defence and security of this country* was read a second time, and ordered to be committed to a committee of the whole House.

*Resolved*, That this House will immediately resolve itself into a committee on the said bill.

The House accordingly resolved itself into the said committee; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto, which he was ready to report when the House should be pleased to receive the same.

*Ordered*, That the said report be received to-morrow.

An engrossed bill, *To empower the vestries of the parish of St. James and Amherst to fix the rate of paying the levies thereof in tobacco*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Starke* carry the same to the Senate for their concurrence.

An engrossed bill, *For establishing the places of holding courts in the counties of Stafford and King George*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Carter* carry the same to the Senate for their concurrence.

An engrossed bill, *To restrain the operation of the acts for limitations of actions and recording deeds in certain cases*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Henry* carry the same to the Senate for their concurrence.

Mr. *Carter*, from the committee appointed, presented, according to order, a bill *To prevent the engrossing of salt*; which was read the first time and ordered to be read a second time.

*Ordered*, That Mr. *Faulcon*, Mr. *Winn*, and Mr. *Gray*, have leave to be absent from the service of this House for the remainder of the session.

A bill *To prevent the engrossing salt* was read a second time, and ordered to be committed to Mr. *Carter*, Mr. *Terry*, and Mr. *Mason*.

*Ordered*, That it be an instruction to the said committee that they receive a clause, or clauses, to empower the Governour, by and with the advice of the Privy Council, to prohibit or lay an embargo upon the exportation of beef, pork, and bacon, from this commonwealth, until the publick magazines are supplied, or until ten days after the first meeting of the General Assembly.

Mr. *Carter*, from the committee to whom the bill *To prevent the engrossing of salt* was committed, reported, that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments be engrossed and read a third time.

*Resolved*, That the keeper of the publick store in the town of *Fredericksburg* be directed to furnish the commissioners appointed to superintend the manufactory of arms in the said town with as much cloth and linen as will be sufficient to make a good warm winter suit, and two shirts, for the several workmen employed in the said manufactory, together with a pair of shoes and stockings for each of them, they paying a reasonable price for the same.

*Ordered*, That Mr. *Fitzhugh* do carry the said resolution to the Senate for their concurrence.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the bills *For appointing a Treasurer*,—*For suspending executions for debt*,—*To establish auditors of publick accounts*, for receiving the report from the committee of the whole House on the bill *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, and *For the appointment of Naval Officers, and ascertaining their fees*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

WEDNESDAY, December 11, 1776.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for establishing the places of holding courts in the counties of Stafford and King George*.

Also to the resolution for paying to *John Hardin* 20l.

For dividing the sum of 341l. 6s. 3d. halfpenny, the produce of plunder taken by a detachment of soldiers under col. *Cranford* from the *Indians*, in the expedition under lord *Dunmore*, among the captors, and for appointing Mr. *James Wood* a commissioner to receive the same, without any amendment.

They have also agreed to the bill intituled *An act for the better securing the payment of levies and restraint of vagrants, and for making provision for the poor*, with an amendment, to which they desire the concurrence of this House.

They have also directed me to lay before the House the following written message:

MR. SPEAKER,

The Senate have not receded from their amendment to the bill *Declaring what shall be treason*, but, ever willing and desirous of keeping up harmony with the other branch of the Legislature, and of co-operating with them in giving force to laws for the benefit and safety of the Commonwealth, are desirous of a full and free conference with the House of Delegates on the subject of the said amendment, to the end that no opinions hastily taken up by either branch of the Legislature may deprive the State of the benefits which will result from that salutary law. And he delivered the same in at the bar, and then withdrew.

A message from the Senate by Mr. Cabell.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to enable persons living in other countries to dispose of their estates in this Commonwealth with more ease and convenience*; and he delivered the same in at the bar, and then withdrew.

Mr. Starke, from the Committee for Religion, to whom the bill *To enable the vestry of the parish of Botetourt to purchase lands for a glebe, and for other purposes therein mentioned*, was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had directed him to report the same, without any amendment.

Ordered, That the said bill be engrossed and read a third time.

The House took into consideration the written message from the Senate desiring a free conference on the subject of the disagreement of this House to the amendment proposed by them to the bill *Declaring what shall be treason*; and the same being read,

Resolved, That this House do agree to the free conference desired by the Senate, and that Mr. Bullitt, Mr. Treasurer, Mr. Mason, Mr. Henry, Mr. Starke, and Mr. Banister, be the managers of the said conference on the part of this House.

Ordered, That a message be sent to the Senate, to acquaint them that this House, equally desirous with the Senate to keep up harmony between the two branches of the Legislature, have agreed to the free conference desired by them on the subject-matter of the disagreement of this House to the amendment proposed by them to the bill *Declaring what shall be treason*; and that Mr. Bullitt do carry the said message.

The managers then withdrew.

Mr. Bullitt reported, that the managers appointed by this House had met those of the Senate in the conference room, and had freely discussed the subject-matter of the conference, after which the managers from the Senate retired, promising to report what had passed to the Senate, and that the result of their farther deliberation thereupon should be communicated by message to this House.

Mr. Wood, from the committee appointed to examine the reports of John Harvie and Joseph Neaville, reported, that the committee had agreed upon the following report and resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It appears to your committee, by the testimony of George Vallendigham, that he received a lieutenant's commission on the 8th day of May, 1774, when he entered into service; that before he crossed the Ohio, to go on the expedition against the upper Shawanese towns, major Connolly, who then commanded the militia of West Augusta, promised him a captain's commission of the above date provided he could raise a full company. It also appears from his pay roll, that he recruited 43 private men, exclusive of three sergeants, who all continued in the service during the war. It farther appears, that the commissioners allowed him the pay of a lieutenant, and that an ensign and three sergeants belonging to the said detachment received their full pay.

It farther appears to your committee, that capt. Joseph Bowman received instructions from lord Dunmore to raise a company to join the forces destined against the Shawanese towns, which he complied with, advancing his own credit in equipping them properly for the service.

It farther appears, that several of the men, after being provided with arms and such necessaries as they stood in need of, and before their pay amounted to such advances, deserted, by which the said Joseph Bowman has been compelled to pay the sum of 24l. 2s. 5d. which was over and above the pay of the said deserters. It farther appears, that the advances consisted of such articles as were absolutely necessary to fit them for the said expedition.

Resolved, That the claim of George Vallendigham be rejected.

Resolved, That the said Joseph Bowman ought to be reimbursed the said sum of 24l. 2s. 5d. by the publick.

Ordered, That Mr. Wood do carry the last resolution to the Senate for their concurrence.

The House took into consideration the amendment proposed by the Senate to the bill intituled *An act for better securing the payment of levies and restraint of vagrants, and for making provision for the poor*; and the said amendment being twice read, was, on the question put thereupon, agreed to by the House.

Ordered, That Mr. Bullitt do acquaint the Senate therewith.



A message from the Senate by Mr. Jones.

MR. SPEAKER,

The Senate do adhere to their amendment to the bill intituled *An act declaring what shall be treason*; and he delivered the same in at the bar, and then withdrew.

The House of Delegates observing, that in the present mode of balloting for officers it may frequently happen that persons may be appointed to the most important posts contrary to the opinion of a large majority of both Houses, do therefore propose to the Senate, that in future, when different officers are to be appointed to any one department, they shall be ballotted for singly; that when either one or more officers are to be appointed, if, upon the return of the ballots, it should appear that neither candidate hath a majority of both Houses, each House proceed to a ballot between the two candidates standing foremost on the list, and that the person in whose favour there may be a majority on the joint votes of both Houses shall be adjudged duly elected.

Ordered, That Mr. Treasurer do carry the said proposition to the Senate for their concurrence.

Mr. Starke, from the committee of the whole House, reported, that the committee had, according to order, had under their consideration the bill *For making further provision for the internal defence and security of this country*, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

On a motion made,

Ordered, That the said bill, with the amendments, be re-committed to a committee of the whole House.

Resolved, That this House will to-morrow again resolve itself into a committee on the said bill.

An engrossed bill, *To prevent the engrossing of soil*, was read a third time.

Resolved, That the said bill do pass, and that Mr. Carter carry the same to the Senate for their concurrence.

An engrossed bill, *To enable the vestry of Botetourt to purchase lands for a glebe, and for other purposes therein mentioned*, was read a third time.

Resolved, That the said bill do pass, and that Mr. Starke carry the same to the Senate for their concurrence.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the bills *For appointing a Treasurer*,—*For suspending executions for debt*,—*To establish auditors of public accounts*, for receiving the report from the committee of the whole House on the bill *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, and *For the appointment of Naval Officers, and ascertaining their fees*, being read,

Ordered, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

THURSDAY, December 12, 1776.

A message from the Senate by Mr. Ellzey.

MR. SPEAKER,

The Senate have agreed to the resolution of this House directing the workmen employed in the gun manufactory to be furnished with the necessary clothing; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the message from the Senate adhering to their amendments to the bill *Declaring what shall be treason*; and the same being read,

Resolved, That this House do recede from their disagreement to the said amendment, and that Mr. Bullitt acquaint the Senate therewith.

A message from the Senate by Mr. Rutherford.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House for paying Israel Christian 17l. 14s. 3d., John Hyser 2l. 10s. 4d. halfpenny, William Dark 1l. 2s. 2d. halfpenny, John and William Ingles 4l. 1s. 3d., Isaac Israel 45l. 1s. 2d., John Hyser 6l. 10s. 2d., Daniel Culp 2l. 15s., ditto 1l. 11s. 3d., Henry Yeager 12s. 0d. halfpenny, William Dark 14s. 4d. halfpenny, Philip Coon 1l. 19s. 7d., John and William Ingles 2l. 7s. 0d. halfpenny, Cornelius Connaway 4s. 2d., Isaac Taylor 10l., and to John Blair 16l. 8s. 6d. And he delivered the same in at the bar, and then withdrew.

Mr. Hite, from the committee to whom the reports of John Harvie and Joseph Neaville were referred, reported, that the committee had had the same under their farther consideration, and had agreed upon the following report and resolution; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It appears to your committee, that capt. James Wood received instructions from lord Dunmore to raise a company to join the forces destined against the Shawanese towns, which he complied with, advancing his own credit in equipping them properly for the service. It farther appears, that several of the men, after being provided with arms and such necessaries as they stood in need of, and before their pay amounted to such advances, deserted, by which the said captain Wood has been compelled to pay the sum of 8l. 17s. 7d. over and above the pay of the said deserters.

It farther appears, that the advance consisted of such articles as were absolutely necessary to fit them for the said expedition.

*Resolved*, That the said *James Wood* ought to be reimbursed the sum of *8l. 17s. 7d.* by the publick.

*Ordered*, That Mr. *Hite* do carry the said resolution to the Senate for their concurrence.

Mr. *Braxton*, from the Committee of Propositions and Grievances, reported, that the committee had, according to order, had under their consideration the petition of the trustees of the town of *Manchester* to them referred, and had come to the following resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Resolved*, That the petition of the said trustees, praying that an act may pass to empower the said trustees, or others for that purpose, to be appointed to remove the buildings and other obstructions which are or may be erected in the passage between the said town and the river, be rejected, the matter thereof being cognizable before a court of law.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to prevent the operation of the acts for limitations of actions and recording deeds in certain cases*; and he delivered the same in at the bar, and then withdrew.

*Resolved*, That the money allowed the several persons whose claims were stated by Mr. *Harvie* and Mr. *Neaville*, and passed this session of Assembly, be paid by the Treasurer, as follows: So much as is due to the inhabitants of *West Augusta* to Mr. *David Rogers*, and what is due to the inhabitants of other counties to the respective members of such counties, or either of them, to be by them paid to the several claimants.

*Ordered*, That Mr. *Bullitt* do carry the said resolution to the Senate for their concurrence.

Mr. *Lee*, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration the claims of capt. *William Dark* and capt. *Isaac Beale*, for the expenses incurred in supporting their two companies of riflemen from the time of their being embodied till the passing of the ordinance directing the same to be raised, and had agreed upon the following report and resolution thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It appears to your committee, that *Adam Bishop* cooked, baked, and found house room and lodging, for six soldiers belonging to the company commanded by captain *Dark*, for the space of thirty-two days, for which an account was presented to the commissioners appointed to settle the accounts of this commonwealth for the sum of *2l. 12s. 7d.* halfpenny, and a deduction by them made of *1l. 10s. 7d.* halfpenny.

*Resolved*, That the farther sum of *1l. 10s. 7d.* halfpenny be paid to the said *Adam Bishop*, as a full satisfaction for his said services.

*Ordered*, That Mr. *Lee* do carry the said resolution to the Senate for their concurrence.

The House, according to the order of the day, resolved itself into a committee on the bill *For making farther provision for the internal security and defence of this country*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had the said bill under their consideration, and had made several amendments thereto; which he was ready to report when the House should be pleased to receive the same.

*Ordered*, That the said report be received to-morrow.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the bills *For appointing a Treasurer*,—*For suspending executions for debt*,—*To establish auditors of publick accounts*, for receiving the report from the committee of the whole House on the bill *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, and *For the appointment of Naval Officers, and ascertaining their fees*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 9 o'clock.

## FRIDAY, December 13, 1776.

*Ordered*, That the publick printer do immediately print two copies of the act *Declaring what shall be treason*, for each county, and that the members be desired to have the same published in the several churches and meeting houses in their respective counties.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have agreed to the book of publick claims; and he delivered the same in at the bar, and then withdrew.

*Ordered*, That a committee be appointed to proportion the publick levy, of the following persons: Mr. *Lee*, Mr. *Adams*, Mr. *Gray*, Mr. *Pickett*, Mr. *Peyton*, Mr. *Clapham*, Mr. *Starke*, and Mr. *Davenport*.

Mr. *Starke*, from the Committee for Religion, to whom the bill *To empower the vestry of the parish of Westover, in the county of Charles City, to sell the lands appropriated to the use of the poor of the said parish*,



was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had made an amendment thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same was again twice read, and agreed to.

*Ordered*, That the said bill, with the amendment, be engrossed and read a third time.

A bill *To encourage the making of hemp, woollen, linen, and other manufactures*, was read a second time, and on the question put, that the said bill be engrossed and read a third time, it passed in the negative.

*Resolved*, That the said bill be rejected.

*Ordered*, That Mr. *Fleming* have leave to be absent from the service of this House for the remainder of the session.

Mr. *Starke*, from the committee of the whole House, reported, according to order, the amendments to the bill *For making farther provision for the internal security and defence of this country*, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Mr. *Starke*, from the committee appointed to inquire into and report the progress and expense of the several publick salt works erected in consequence of the ordinance of the late Convention, reported, that the committee had accordingly inquired into the same, and had agreed upon a report; which he read in his place, and afterwards delivered in at the clerk's table, where the same was again read, and is as follows:

Your committee find, by an account, that the salt ponds on the south side of *James river*, under the direction and management of Mr. *John S Wills*, are completed, and that the expense attending the same amounts to 1069*l*. 0*s*. 2*d*. including the managers and clerks wages, two salt pans, and other materials; that there are sundry articles now on hand, amounting to the sum of 46*l*.; that fifty bushels of salt have been made, and sold at the rate of 5*s*. a bushel, from the said works, which makes the sum of 12*l*. 10*s*. which added together makes the sum of 58*l*. 10*s*. and that deducted from the first mentioned sum of 1069*l*. 0*s*. 2*d*. leaves a balance due from the said works of 1010*l*. 10*s*. 2*d*.

Your committee also find, that two third parts of the salt works in the county of *Gloucester*, under the direction and management of Mr. *John Hobday*, are completed, and fit for evaporation of salt water; that the expenses which have already accrued amount to the sum of 907*l*. 10*s*. 11*d*. farthing, and in order to complete the same the farther sum of 180*l*. will yet be required.

Your committee farther find, that three fourth parts of the salt works in the county of *Elizabeth City*, under the direction and management of Mr. *John Cary*, are completed; that some progress hath been made in the other part thereof; that the monies expended thereon amount to the sum of 686*l*. 0*s*. 11*d*. halfpenny, and that it will take the farther sum of 3 or 400*l*. to bring the same to perfection.

Your committee also find, that the salt works under the management of Mr. *Richard Parker*, in the district between *Potowmack* and *Rappahannock* rivers, are nearly complete; that the monies expended thereon amount to the sum of 1364*l*. 5*s*. 10*d*. halfpenny, and that it will take the farther sum of 135*l*. 14*s*. 1*d*. halfpenny, to finish the same.

Your committee likewise find, from the accounts of Mr. *William Hewitt*, manager of the salt works in the county of *York*, that the sum of 679*l*. 9*s*. 2*d*. hath been already expended thereon, and that the sum of 100*l*. will still be required to complete the same.

Your committee farther find, from the representation of Mr. *Southy Simpson*, director and manager of the salt works on the *Eastern Shore* of this country, that there hath been already expended thereon about the sum of 530*l*. and that in order to complete them the farther sum of 270*l*. will yet be required.

Your committee, for the better illustration of their said report, beg leave to refer to the following account:

Expended on the salt works under the direction of Mr. <i>John Wills</i> ,	7.1010	9	9	
Ditto on those under direction of Mr. <i>Hobday</i> , 907 <i>l</i> . 10 <i>s</i> . 11 <i>d</i> . halfpenny. Wanted to complete the same, 180 <i>l</i> .	1087	10	11	farthing
Ditto on those under direction of Mr. <i>Cary</i> , 686 <i>l</i> . 11 <i>d</i> . 3 farthings. Wanted to complete the same, 400 <i>l</i> .	1086	0	11	3 farthings
Ditto on those under direction of Mr. <i>Parker</i> , 1364 <i>l</i> . 5 <i>s</i> . 10 <i>d</i> . halfpenny. Wanted to complete the same, 135 <i>l</i> . 14 <i>s</i> . 1 <i>d</i> . halfpenny,	1500	0	0	
Ditto on those under direction of Mr. <i>Hewitt</i> , 679 <i>l</i> . 9 <i>s</i> . 2 <i>d</i> . Wanted to complete the same, 100 <i>l</i> .	779	9	2	
Ditto on those under direction of Mr. <i>Simpson</i> , 530 <i>l</i> . Wanted to complete the same, 270 <i>l</i> .	800	0	0	
Total,	6263	10	10	

*Ordered*, That the said report do lie on the table.

*Resolved*, That it be recommended to the Delegates from this Commonwealth to apply to Congress to provide in the continental army for *Thomas Bullitt*, Esq. adjutant general of this Commonwealth, having regard to his former rank in this country, he not having hitherto been otherwise provided for; because it was supposed, from his experience, he would be as useful in that department as any other in the nomination of this Commonwealth.

*Ordered*, That Mr. *Lee* do carry the said resolution to the Senate for their concurrence.

As an encouragement to such able bodied brave men as may incline to enlist either into the continental army or the battalions directed to be raised for the more immediate defence of this Commonwealth, and who may leave behind them either wives, children, or aged parents,

*Resolved, nemine contradicente*, That it be earnestly recommended to such of the inhabitants of the several counties as are able, that they immediately enter into associations, obliging themselves to see that all those who exert their own industry in a proper manner shall be comfortably supported and maintained during the absence of their husbands, parents, or children; and as an encouragement to such of the militia under the like circumstances, as shall either enter as volunteers or be draughted, when called for, to step forth with becoming alacrity and resolution in defence of the just rights and liberties of their country at so important and alarming a crisis, it is farther resolved, that the same exhortation be given to such associates to extend their equal care and attention to them and their families. And this Assembly doth give this publick assurance to all soldiers of every denomination, and to all sailors entering into the publick service, and who shall behave themselves well, that no endeavours of theirs shall be wanting to make every thing as convenient and comfortable to them as their station may entitle them to, and the circumstances of the country will admit of.

*Resolved*, That it be recommended to the Governour, that he will be pleased, with the advice of his Council, to direct that immediate and ample provision be made for the comfortable subsistence and accommodation, as well in sickness as in health, of such soldiers and sailors as are already engaged, or may hereafter enlist into the service of this Commonwealth.

*Ordered*, That Mr. Treasurer do carry the said resolutions to the Senate for their concurrence.

The House, according to the order of the day, resolved itself into a committee on the bill *For the appointment of Naval Officers, and ascertaining their fees*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. Cabell.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to empower the vestries of the parishes of St. James and Amherst to fix the rate of paying the levies thereof in tobacco*, and to the resolution for settling the mode of balloting, and paying *Joseph Bowman* 24*l.* 2*s.* 5*d.* And he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, resolved itself into a committee on the bill *For appointing auditors of public accounts*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Starke reported, that the committee had, according to order, had under their consideration the said bill, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.

The order of the day, for the House to resolve itself into a committee on the bill *For suspending executions for debt*, being read,

*Ordered*, That the same be put off until the next session of Assembly.

On a motion made,

*Ordered*, That the third reading of the bill *For establishing a High Court of Chancery*, and of the bill *For establishing a General Court and Courts of Assize*, be put off until the next session of Assembly.

*Ordered*, That the second reading of the bill *For better regulating the proceedings in the county courts* be put off until the next session of Assembly.

*Ordered*, That leave be given to bring in a bill *To direct a mode of administering the oaths to the sheriff of York*, and that Mr. Digges, Mr. Prentis, and Mr. Mason, do prepare and bring in the same.

*Ordered*, That it be an instruction to the said committee that they receive a clause, or clauses, to extend the power of the commissioners appointed to try the criminals now in the public jail.

A message from the Senate by Mr. Ellzey.

MR. SPEAKER,

The Senate have agreed to the resolutions for paying to *Joel Corneck* 74*l.* 12*s.* 6*d.*, *Thomas Banks* 42*l.* 5*s.*, *Lemuel Corneck* 46*l.* 17*s.* 6*d.*, *William Haynes* 60*l.* 15*s.*, and *Jacob Keeling* 112*l.* 5*s.* And he delivered the same in at the bar, and then withdrew.

The orders of the day, for the House to resolve itself into a committee on the state of the country, and on the bills *For appointing a Treasurer—To establish auditors of public accounts*, for receiving the report from the committee of the whole House on the bill *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.



SATURDAY, December 14, 1776.

*Ordered*, That Mr. *Freeman Eppes* be appointed serjeant at arms to this House, in the room of Mr. *Francis Eppes*, who hath resigned.

An engrossed bill, *To empower the vestry of the parish of Westover, in the county of Charles City, to sell the lands appropriated to the use of the poor of the said parish*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Acrill* carry the same to the Senate for their concurrence.

An engrossed bill, *For establishing a Court of Admiralty*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Treasurer* carry the same to the Senate for their concurrence.

A message from the Senate by Mr. *Cabell*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House to encourage the enlistment of soldiers, and recommending it to the Governour to make provision for the comfortable subsistence of such as are or may be engaged in the service of this commonwealth, for paying *James Wood* 8*l.* 17*s.* 7*d.* and for directing the payment of the money to sundry persons whose claims were stated by Mr. *Harvie* and Mr. *Neaville*; and he delivered the same in at the bar, and then withdrew.

An engrossed bill, *For making farther provision for the internal security and defence of this country*, was read a third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that Mr. *Adams* carry the same to the Senate for their concurrence.

*Ordered*, That Mr. *Terry* and Mr. *Speed* have leave to be absent from the service of this House for the remainder of the session.

*Ordered*, That the committee appointed to proportion the publick levy be discharged therefrom, perfect lists of the tithables not having been returned.

A resolution for paying *Isaac Thomas* a sum of money as a recompense for services rendered the country in the late *Indian* war, and a compensation for the losses he had sustained thereby, was presented to the House, read, and ordered to be referred to Mr. *Campbell*, Mr. *Talbot*, Mr. *Williams*, Mr. *Wood*, Mr. *Starke*, Mr. *Lockhart*, and Mr. *M'Dowell*.

Mr. *Digges*, from the committee appointed, presented, according to order, a bill *To direct a mode of administering the oaths to the sheriff of York*; which was read the first time, and ordered to be read a second time.

Mr. *Fleming* reported, from the committee appointed to examine the enrolled bills, that the committee had examined several other of the said bills, and had rectified such mistakes as were found therein, and that they are truly enrolled.

*Ordered*, That Mr. *Fleming* do carry the said bills to the Senate for their inspection.

The House, according to the order of the day, resolved itself into a committee on the bill *To establish auditors of publick accounts*; and after some time spent therein, Mr. *Speaker* resumed the chair, and Mr. *Starke* reported, that the committee had, according to order, had under their farther consideration the said bill, and had made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to empower the vestry of the parish of Westover, in the county of Charles City, to sell the lands appropriated to the use of the poor of the said parish*; and he delivered the same in at the bar, and then withdrew.

A message from the Senate by Mr. *Holt*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to prevent the engrossing of salt*, with amendments, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

Mr. *Treasurer*, from the committee of the whole House, reported, according to order, the amendments to the bill *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

The Speaker laid before the House a letter from the committee for the county of *Northampton*; which was read, and ordered to lie on the table.

The House took into consideration the amendments proposed by the Senate to the bill intituled *An act to prevent the engrossing of salt*; and the amendments being severally read a second time, the first, fourth, and fifth, were agreed to by the House, the second agreed to with an amendment, and the third disagreed to.

*Ordered*, That a message be sent to the Senate to acquaint them that the House have agreed to the first, fourth, and fifth of the said amendments, proposed an amendment to the second, and had disagreed to the third amendment, and to desire they will pass the bill with the said amendment, as agreed to; and that Mr. *Carter* do carry the said message.

The House, according to the order of the day, resolved itself into a committee on the bill *For appointing a Treasurer*; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Starke* reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

*Resolved*, That this House will on *Tuesday* next proceed by ballot to the appointment of a Treasurer, commissioners of *Oyer* and *Terminer* for the trial of the criminals, Judges of the Court of Admiralty, and Naval Officers; and that Mr. *Mason* acquaint the Senate therewith.

A bill *To direct a mode of administering the oaths to the sheriff of York*, was read a second time, and committed to Mr. *Digges*, Mr. *Prentis*, and Mr. *Griffin*.

*Ordered*, That it be an instruction to the said committee that they receive a clause, or clauses, for fixing the place of holding the court of admiralty.

The order of the day, for the House to resolve itself into a committee upon the state of the country, being read,

*Ordered*, That the same be put off till *Monday* next.

Adjourned till *Monday*, 10 o'clock.

### MONDAY, December 16, 1776.

The Speaker laid before the House a letter from the Governour, enclosing one from *Samuel Meredith*, Esq. declining to accept the office of colonel of one of the continental battalions to be raised in this Commonwealth; which was read, and ordered to lie on the table.

Mr. *Braxton*, from the committee to whom the bill *To amend an ordinance intituled An ordinance for establishing a Board of Commissioners, to superintend and direct the naval affairs of this colony*, reported, that the committee had, according to order, had under their consideration the said bill, and had directed him to report the same without any amendment.

On the question put, that the said bill be engrossed and read a third time, it passed in the negative.

*Resolved*, That the said bill be rejected.

On a motion made,

*Resolved*, That it be recommended to the members for the several counties, where the officers have not already received the recruiting money, that they receive for and pay the same to the several officers, on their giving security for the due application thereof.

Mr. *Prentis*, from the committee to whom the bill *To direct a mode of administering the oaths to the sheriff of York*, was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

An engrossed bill, *For appointing a Treasurer*, was read a third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that Mr. *Braxton* carry the same to the Senate for their concurrence.

An engrossed bill *To amend an ordinance intituled An ordinance for establishing a mode of punishment for the enemies of America in this colony*, was read a third time.

*Resolved*, That the said bill do pass, and that the title be *A bill for the punishment of certain offences*.

*Ordered*, That Mr. *Bullitt* carry the same to the Senate for their concurrence.

A message from the Senate by Mr. *Holt*.

MR. SPEAKER,

The Senate have agreed to the bill *To establish a Court of Admiralty*, with an amendment, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the said amendment; which was twice read, and agreed to.

*Ordered*, That Mr. *Treasurer* do acquaint the Senate therewith.

A message from the Senate by Mr. *Holt*.

MR. SPEAKER,

The Senate have inspected the enrolled bills last sent them, and are satisfied they are truly enrolled; and the same are signed by the Speaker of the Senate. And he delivered the same in at the bar, and then withdrew.

An engrossed bill, *To establish auditors of publick accounts*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Griffin* carry the same to the Senate for their concurrence.

A bill *To make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned*, was read a third time.

*Resolved*, That this House will immediately resolve itself into a committee on the said bill.



The House, according to the order of the day, resolved itself into a committee on the said bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Braxton* reported, that the committee had, according to order, had under their consideration the said bill, and had made some progress therein, but not having time to go through the same, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow again resolve itself into a committee on the said bill.

*Resolved*, That this House will to-morrow proceed, by ballot, to the appointment of a colonel of the continental troops in the room of *Samuel Meredith*, Esquire; and that Mr. *Starke* acquaint the Senate therewith.

A message from the Senate by Mr. *Carrington*.

MR. SPEAKER,

The Senate have agreed to the bill intituled an act *For making farther provision for the internal security and defence of this country*, with amendments, to which they desire the concurrence of this House.

They have receded from their amendment to the bill intituled *An act for establishing a Court of Admiralty*, disagreed to by this House, and have passed the same with the amendment agreed to.

They have passed the bill intituled *An act for appointing a Treasurer*, without any amendment; and he delivered the same in at the bar, and then withdrew.

The order of the day for the House to resolve itself into a committee upon the state of the country, being read,

*Ordered*, That the same be put off till to-morrow.

Adjourned till to-morrow, 10 o'clock.

TUESDAY, December 17, 1776.

A message from the Senate by Mr. *Carrington*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for making a farther provision for the internal security and defence of this country*, with amendments, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

A message from the Senate by Mr. *Rutherford*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House for paying to *Adam Bishop* the sum of 1*l.* 10*s.* 7*d.* halfpenny; and he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, resolved itself into a committee on the bill *To make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. *Braxton* reported, that the committee had, according to order, had under their farther consideration the said bill, and had made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

A message from the Senate by Mr. *Holl*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to establish auditors of publick accounts*; and he delivered the same in at the bar, and then withdrew.

A message from the Senate by Mr. *Carrington*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for the appointment of Naval Officers, and ascertaining their fees*; also to the resolution of this House respecting the mode of balloting; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the amendments proposed by the Senate to the bill intituled *An act for making a farther provision for the internal security and defence of this country*; and the said amendments being twice read, the 1*st*, 2*d*, 3*d*, 4*th*, 5*th*, 6*th* and 7*th* were agreed to, and the others disagreed to.

*Ordered*, That a message be sent to the Senate to acquaint them the House have agreed to the 1*st*, 2*d*, 3*d*, 4*th*, 5*th*, 6*th* and 7*th* amendments by them proposed to the bill *For making a farther provision for the internal security and defence of this country*, and had disagreed to the other amendments, and to desire they will pass the said bill with the amendments agreed to; and that Mr. *Starke* do carry the said message.

The House took into consideration the message from the Senate adhering to the amendments proposed by them to the bill *To prevent the engrossing of salt*; and the same being again read,

*Resolved*, That this House do adhere to their disagreement to the said amendments.

An engrossed bill, *To direct the mode of administering the oaths to the sheriff of York*, was read a third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that the title be *A bill for extending the powers of the Commissioners of Oyer and Terminer, and for other purposes therein mentioned*; and that Mr. *Prentis* do carry the same to the Senate for their concurrence.

A message from the Senate by Mr. Ellzey.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act for the punishment of certain offences*, with amendments, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

A message from the Senate by Mr. Carrington.

MR. SPEAKER,

The Senate do adhere to the amendments by them proposed to the bill *For making a farther provision for the internal security and defence of this country*, to which this House have disagreed; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the said message, and the amendments being again read,

*Resolved*, That this House do recede from their disagreement thereto; and that Mr. Starke do acquaint the Senate therewith.

A bill *To empower the Governour and Council to employ persons for working the lead mines to greater advantage*, was read a second time, and committed to Mr. Talbot, Mr. Lynch, and the members for *Finecastle*.

The House, according to the order of the day, being about to proceed by ballot to the appointment of a Treasurer, several gentlemen were nominated as proper to be ballotted for.

*Ordered*, That Mr. Starke do carry a list of the persons so nominated to the Senate, and desire they will lay before this House a list of such persons as shall be nominated in their House.

A message from the Senate by Mr. Lee.

MR. SPEAKER,

I am directed by the Senate to acquaint this House, that they are satisfied with the persons nominated by them as proper to be ballotted for as a Treasurer.

The House then proceeded, by ballot, to the appointment of a Treasurer; and the members having prepared tickets for the person to be appointed, and put the same into the ballot box, Mr. Starke, Mr. Curle, Mr. Cary, and Mr. Prentis, were appointed a committee to meet a committee to be appointed by the Senate, and report to the House upon whom the majority fell.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot boxes, and that the majority was in favour of *George Webb*, Esquire.

*Resolved*, therefore, That the said *George Webb*, Esq. be appointed Treasurer of this Commonwealth, to hold the said office for one year, and from thence to the end of the next session of Assembly.

The House proceeded, in the same manner, to the appointment of commissioners of *Oyer and Terminer*; and *John Page*, *Dudley Digges*, *John Blair*, *Bartholomew Dandridge*, and *Thomas Walker*, Esquires, were nominated as proper persons to be ballotted for.

*Ordered*, That Mr. Starke do acquaint the Senate therewith.

A message from the Senate by Mr. Lee.

MR. SPEAKER,

The Senate are satisfied with the persons nominated by this House, and they have not proposed any others, and are therefore willing the persons so nominated should be appointed without any ballot.

*Resolved*, That the said *John Page*, *Dudley Digges*, *John Blair*, *Bartholomew Dandridge*, and *Thomas Walker*, Esquires, be appointed commissioners for the trial of the criminals, pursuant to the act of Assembly intituled *An act for appointing commissioners of Oyer and Terminer for the trial of the criminals now in the publick jail*.

The House proceeded to ballot for three Judges of the Court of Admiralty, and several persons being nominated as proper to be ballotted for,

*Ordered*, That Mr. Starke do carry a list of the persons so nominated to the Senate, and desire they will lay before this House a list of such persons as shall be nominated in their House.

A message from the Senate by Mr. Lee.

MR. SPEAKER,

The Senate have directed me to lay before this House a list of the persons who have been nominated in the Senate as proper to be ballotted for Judges of the Court of Admiralty; and he delivered the same in at the bar, and then withdrew.

The House then proceeded to ballot for the said Judges, and the members having prepared tickets for the persons to be appointed, and put the same into the ballot box, Mr. Braxton, Mr. Curle, Mr. Prentis, and Mr. Reade, were appointed a committee to meet a committee to be appointed by the Senate, and report to the House upon whom the majority fell.

*Ordered*, That Mr. Braxton acquaint the Senate therewith.

The committee then withdrew, and after some time returned into the House, and reported, that they had met a committee from the Senate in the conference room, and had jointly with them examined the ballot boxes, and that the majority was in favour of *Richard Cary*, *William Holt*, and *Bernard Moore*, Esquires.



*Resolved, therefore, That the said Richard Cary, William Holt, and Bernard Moore, Esquires, be appointed Judges of the Court of Admiralty.*

The House took into consideration the amendments proposed by the Senate to the bill intituled *An act for the punishment of certain offences*; and the said amendments being twice read, were agreed to by the House.

*Ordered, That Mr. Bullitt do acquaint the Senate therewith.*

The orders of the day, for the House to resolve itself into a committee upon the state of the country, for the appointment of field officers to command the troops to be raised for the internal security and defence of this country, of a colonel of the continental troops, and of auditors of publick accounts, being read,

*Ordered, That the same be put off till to-morrow.*

*Ordered, That there be a call of the House to-morrow, at 9 o'clock.*

Mr. Mason, from the committee to whom the letter and other papers from the Delegates appointed to represent this State in General Congress, on the subject of the disputed boundary between this country and the State of *Pennsylvania*, were referred, reported, that the committee had, according to order, had the same under their consideration, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved, That it is the mutual interest of the Commonwealths of Virginia and Pennsylvania, that the boundaries between them be speedily settled and ascertained, in the most amicable and indisputable manner, by the joint agreement and concurrence of both; but, that this desirable end being unattainable by diffidence or reserve, your committee are concerned to find that the committee of the Pennsylvania Convention have confined themselves to general observations on the cession and release made by the Commonwealth of Virginia, without attempting to show that the temporary boundary proposed was really inconsistent with the same, or offering any thing with certainty on the part of Pennsylvania in its stead, until the true limits of their charter could be authentically ascertained and settled.*

*Resolved, That as the boundaries expressed in the Pennsylvania charter may admit of great doubt, and variety of opinions may arise on the construction, and it is expedient and wise to remove, as much as possible, all cause of future controversy (the great principle upon which the Virginia Convention acted in making the aforesaid cession and release) to quiet the minds of the people who may be affected thereby, and to take from our common enemies an opportunity of fomenting mutual distrust and jealousy, this Commonwealth ought to offer such reasonable terms of accommodation (even if the loss of some territory is incurred thereby) as may be cordially accepted by our sister State, and an end put to all future dispute, by a firm and permanent agreement and settlement.*

*Resolved, therefore, That the Virginia Delegates in Congress be empowered and instructed to propose to the Commonwealth of Pennsylvania a final accommodation of our disputed boundaries, in the following manner:*

That the meridian line drawn from the fountain or head of *Potomack* river shall be extended from the intersection of the line run between the proprietors of *Maryland* and *Pennsylvania* (commonly called *Mason and Dixon's* line) due north, until it intersects the latitude of 40 degrees, and from thence the southern boundary of *Pennsylvania* shall be extended on the said fortieth degree of latitude until the distance of five degrees of west longitude from *Delaware* river shall be completed thereon, the same to be ascertained by proper astronomical observations; that from the completion of the said five degrees of longitude, upon the said fortieth degree of latitude, the western boundary of *Pennsylvania* shall be fixed at five degrees of longitude from its eastern, either in every point thereof, according to the meanders of *Delaware* river, or (which is perhaps easier, and better for both) from proper points or angles on the said *Delaware* river, with intermediate straight lines between; and whenever the said western boundary shall be run, that the degrees of longitude be also fixed by astronomical observations, at proper points or angles, on the said western boundary, answering to the points or angles on the said river *Delaware*; and from these that there be straight lines run, corresponding as near as may be with the before mentioned straight lines, or reduced courses of the said river: For which purpose, if the Commonwealth of *Pennsylvania* shall accept this offer, and whensoever they shall have signified their agreement to the boundaries herein proposed, the Governour and Council are empowered and desired to appoint commissioners to proceed with a proper mathematical apparatus, and in conjunction with commissioners to be appointed on the part of the Commonwealth of *Pennsylvania*, to ascertain and run the said southern, or southern and western boundary, until the same shall strike the *Ohio* or *Allegheny* river, which it is apprehended is as far as they can yet be extended with safety, on account of the *Indians*. Saving their private property and rights to all persons who may have acquired titles, under either country respectively, previous to the ascertaining and running such boundary, although they should be found to fall within the other.

*Ordered, That Mr. Mason do carry the said resolutions to the Senate for their concurrence.*

*Adjourned till to-morrow, 9 o'clock.*

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WEDNESDAY, December 18, 1776.

Mr. Lee, from the Committee of Publick Claims, reported, that the committee had, according to order, had under their consideration several petitions to them referred, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Resolved*, That the petition of *Frederick Woolford*, praying a farther allowance for 240 days diets furnished the soldiers of the 8th regiment under the command of col. *Muhlenburg*, be rejected, it appearing that *Edward Snickers*, the commissary, has already been allowed for 257 days diets, at one shilling per day, furnished the said soldiers by the petitioner.

*Resolved*, That the petition of *John Crookshanks*, praying a farther allowance for 102 days diets furnished the soldiers under the command of captains *Campbell* and *Clark*, be rejected, it appearing that *Edward Snickers*, the commissary, has already been allowed one shilling per day for the same.

*Resolved*, That the petition of *Thomas Barnes*, praying an allowance for 42 days service in collecting and selling the country's horses and cattle, and in adjusting and settling many accounts in col. *Ingles's* brigade book, which was laid before the commissioners, is reasonable, and that the petitioner ought to be allowed the sum of 10*l.* as a reward for his services aforesaid.

*Resolved*, That the petition of *Thomas Lawson*, praying to be allowed for two oxen employed in carrying provisions to the mouth of *Quantico*, in *Prince William* county, for the use of the militia ordered out in defence of the country, which fell down the bank of the river by accident and were killed, is reasonable, and that the petitioner ought to be allowed the sum of 12*l.* for the same.

*Ordered*, That Mr. *Lee* do carry the 3d and 4th resolutions to the Senate for their concurrence.

On a motion made,

*Resolved*, That if any person within this Commonwealth shall purchase more salt imported into the same than he hath occasion of for the use of his family for one year, and shall refuse to sell the surplus, or demand a greater price than will be sufficient to reimburse him the first costs thereof and charges, and 15 per centum loss of measure, every person so offending shall be held and deemed an enemy to this State.

*Ordered*, That Mr. *Carter* do carry the said resolution to the Senate for their concurrence.

Mr. *Starke*, from the committee to whom the case of *Isaac Thomas* was referred, reported, that the committee had, according to order, had the same under their consideration, and had agreed upon the following report and resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It appears to your committee, from the information of col. *Russell*, major *Shelby*, and Mr. *Madison*, and from a certificate of col. *Christian*, that the said *Isaac Thomas*, being a resident in the *Cherokee* towns, did at sundry times, and at the risk of his life, come into the frontier inhabitants and give information of the intended incursions of the *Indians*, by which early notice the inhabitants had time to fort themselves, procure ammunition, and otherwise provide for their security, insomuch that, in the opinion of the informants, the lives of many hundred people had been saved.

*Resolved*, That for the great and essential service rendered this country by the said *Isaac Thomas* he ought to receive a reward of 100*l.*

*Resolved*, That the consideration of the losses sustained by the said *Isaac Thomas* be deferred till more satisfactory proof can be made to a future session of Assembly relative thereto.

*Ordered*, That Mr. *Starke* do carry the first of the said resolutions to the Senate for their concurrence.

An engrossed bill *For making provision for defraying the expenses of erecting fortifications, and for other purposes therein mentioned*, was read a third time, and the blanks therein filled up.

*Resolved*, That the said bill do pass, and that Mr. *Treasurer* carry the same to the Senate for their concurrence. Mr. *Talbot*, from the committee to whom the bill *To empower the Governour and Council to employ persons for working the lead mines to greater advantage*, was committed, reported, that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

*Ordered*, That the said bill, with the amendments, be engrossed and read a third time.

Whereas a requisition from the Hon. Continental Congress, for the building six row galleys for the protection of the continental troops in their transportation over the different rivers in *Virginia*, was laid before the last Convention, and as several row galleys, of the same construction and size with those in *Delaware* river, have been lately built here, very proper for such purpose, but unfit for sea service:

*Resolved*, That it be an instruction to the Delegates from this Commonwealth to make an offer of six of the said galleys ready built and equipped to the Congress, for the aforesaid purpose of protecting and transporting their troops, and that the commissioners for naval affairs furnish the said six row galleys accordingly, and settle the price of them as nearly as possible at what they cost this Commonwealth.

*Resolved*, That the Governour be desired to write to the *Maryland* Council of Safety, to inform them that four galleys of eighty odd feet keel, intended for the protection of *Chesapeake* bay and the adjacent cape and coasts, are now building in *Virginia*, and in great forwardness, and that the General Assembly have directed four more galleys, much larger than the former, to be immediately built and equipped for the same purpose; and conceiving that the inhabitants of *Maryland* are equally interested in a measure calculated for the mutual defence and advantage of both countries, have no doubt of the hearty concurrence and assistance of their sister State in supplying their proper quota of galleys to act in concert with those belonging to this Commonwealth.

*Resolved*. As it is essential to the safety of the *American* cause that the Southern States should be speedily put on such a respectable footing as may enable them to resist the attempts of the common enemy, that therefore the



Georgia officers be permitted to raise as many men in this Commonwealth as shall be sufficient to complete the quota of continental troops required from that State, under the like restrictions as were heretofore imposed on the officers from *South Carolina* who have been permitted to recruit men in this State.

Ordered, That Mr. *Mason* do carry the three foregoing resolutions to the Senate for their concurrence.

Resolved, That the following allowances be made to the officers of the General Assembly:

To the reverend <i>Thomas Price</i> , chaplain,	-	-	-	£ 60
To Mr. <i>John Tazewell</i> , clerk of the House of Delegates,	-	-	-	250
To Mr. <i>John Pendleton</i> , clerk of the Senate,	-	-	-	100
To Mr. <i>Edmund Pendleton</i> , clerk of the Committees of Propositions and Grievances and Privileges and Elections,	-	-	-	75
To Mr. <i>Hind Russell</i> , clerk of the Committee of Public Claims,	-	-	-	110
To Mr. <i>John Beckley</i> , clerk of the Committees of Courts of Justice and of Trade,	-	-	-	60
To Mr. <i>William Dandridge</i> , clerk of the Committee for Religion,	-	-	-	60
To Mr. <i>Francis Eppes</i> , serjeant at arms,	-	-	-	75
To <i>William Page</i> , and <i>William Rose</i> , jun. door-keepers to the Senate, each,	-	-	-	35
To <i>Robert Hyland</i> , <i>John Creagh</i> , <i>William Hicks</i> , and <i>William Drinkard</i> , door-keepers to the House of Delegates, each,	-	-	-	35
To Mr. <i>Benjamin Powell</i> , for cleaning the Capitol,	-	-	-	10

Ordered, That Mr. *Lee* do carry the said resolution to the Senate for their concurrence.

Resolved, That 500*l.* per annum be allowed to Mr. *Alexander Purdie*, publick printer, to continue to the end of the next session of General Assembly, as a full consideration for printing the journals of the Assembly and the laws of each session, and sending as many copies of the laws as there are acting justices in the commission in each respective county; and one other, which is to be half bond, for the use of the court, and ten to the clerks of the courts of *Hustings* in the city of *Williamsburg* and borough of *Norfolk*, and printing inspectors' receipts and books, proclamations, and publick advertisements.

Resolved, That the clerks of the Council and Navy Board be allowed for their respective services after the rate of 150*l.* per annum each, to be paid quarterly.

Ordered, That Mr. *Lee* do carry the said several resolutions to the Senate for their concurrence.

Ordered, That the letter from the committee for the county of *Northampton* be delivered to the members for the said county, to be by them laid before the Governour and Council.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House making an offer of the six galleys built in this State to Congress, for the purpose of transporting the continental troops,—desiring the Governour to write to the Council of Safety for the State of *Maryland* requesting their concurrence and assistance in the protection of *Chesapeake Bay* and the adjacent cape and coasts,—for allowing *Thomas Barnes* 10*l.* and *Thomas Lawson* 12*l.*—for permitting the officers from *Georgia* to recruit soldiers in this State,—for settling the disputed boundary between this State and *Pennsylvania*, without any amendment; also to the resolution to prevent the engrossing of salt, with amendments, to which they desire the concurrence of this House. And he delivered the same in at the bar, and then withdrew.

A message from the Senate by Mr. *Carrington*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned*.

And to the resolutions for paying the several officers of the General Assembly, clerk of the Council, clerk of the Navy Board, publick printer, and to *Arthur Boush* and *Samuel Boush*, the several sums of money therein mentioned, also to the resolution for the delivery of a negro man slave to *Hezekiah Holliday* with his hire.

They have also agreed to the bill intituled *An act for extending the powers of the Commissioners of Oyer and Terminer, and for other purposes therein mentioned*, with amendments, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, resolved itself into a committee on the state of the country; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the state of the country, and had come to the following resolutions thereupon, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

Whereas the king of *Great Britain* hath waged war against this Commonwealth and the United *American* States, and there are within this Commonwealth divers merchants and others, subjects of the said king, who, while they remain here, have frequent opportunities of seducing and corrupting the minds of the people, and are suspected of holding correspondence with and giving intelligence to the enemy:

Resolved, *nemine contradicente*, That the Governour and Council be desired to cause all such persons to depart this Commonwealth, by immediately putting in execution the statute staple of the 27th of *Edward III.* chapter 17th, against all the natives of *Great Britain* who were partners with, agents, storekeepers, assistant storekeepers, or clerks

here, for any merchant or merchants in *Great Britain*, at the time the act of the *British* parliament for restraining the trade of *America*, and seizing our property upon the water, took place, except only such of them as have heretofore uniformly manifested a friendly disposition to the *American* cause, or are attached to this country by having wives or children here; and such subjects of the said king as shall satisfy the Governour and Council that they have not been able to procure other means of departure, may have their passage to any foreign port, in such vessels employed in the service of this Commonwealth as the Governour and Council shall direct. And that all, or any of them, who shall be found here after the time respectively allowed them to depart, shall be confined as enemies, and prisoners of war. And for furnishing the Governour and Council with proper information, the justices of the several county courts are empowered and required immediately to make inquiry for all such subjects of the said king residing within their respective counties, and, after due examination had, to cause a list of their names to be entered upon record, and direct their clerk to transmit a copy thereof to the Governour. And that a copy of this resolve, together with a copy of the aforesaid statute staple, be forthwith printed in the *Virginia Gazette*.

*Ordered*, That Mr. Treasurer do carry the said resolutions to the Senate for their concurrence.

*Resolved*, That this House will to-morrow proceed, by ballot, to the appointment of a member of the Navy Board in the room of *George Webb*, Esquire.

A message from the Senate by Mr. *Matthews*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House for paying 100*l.* to *Isaac Thomas*; and he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, proceeded, by joint ballot with the Senate, to the appointment of Naval Officers for the districts of *Accomack* and *Northampton*; and having exchanged with them lists of the persons to be ballotted for on each occasion, and appointed committees from this House, jointly with committees from the Senate, to examine the boxes on each ballot, the following persons were duly elected, that is to say:

*Isaac Smith*, Esq. for the district of *Accomack*.

*Isaac Avery*, Esq. for the district of *Northampton*.

The House took into consideration the amendments proposed by the Senate to the bill intituled *An act for extending the powers of the commissioners of Oyer and Terminer, and for other purposes therein mentioned*; and the said amendments being twice read, were, on the question put, agreed to by the House.

*Ordered*, That Mr. *Starke* do acquaint the Senate therewith.

*Resolved*, That the farther appointment of naval officers and military officers be put off till to-morrow.

The Speaker laid before the House a letter from *John Smith*, Esq. of the county of *Frederick*, informing him that one hundred volunteers were ready to march to the assistance of general *Washington*, if they could obtain the sanction of government; which being read,

*Resolved*, That this House have great pleasure in observing with what cheerfulness and alacrity the volunteers in the county of *Frederick* have offered their service to join the continental army under his excellency general *Washington*, at a time they supposed important and critical; but as it is very probable that the enemy have retired into winter quarters, the House would not wish their brave countrymen to march such a distance in this inclement season under a doubt whether there will be occasion for their services, but will rely on and call them forth if such an occasion should happen, in which case the Governour and Council are hereby empowered to put the same company of volunteers, and their officers, upon the pay of this Commonwealth, with the same allowance of rations and forage as the other troops in the service thereof.

Adjourned till to-morrow, 10 o'clock.

#### THURSDAY, December 19, 1776.

The House, according to the order of the day, proceeded, by joint ballot with the Senate, to the appointment of naval officers for the several districts of *Elizabeth* river, the lower district of *James* river, *York* river, *Rappahannock* river, *South Potowmack*, a commissioner of the navy in the room of *George Webb*, Esq., auditors of publick accounts, a colonel of the continental troops in the room of *Samuel Meredith*, Esq., and a colonel of the first battalion of infantry raised for the internal security and defence of this country; and having exchanged with the Senate lists of the persons to be ballotted for on each occasion, and appointed committees from this House, jointly with committees from the Senate, to examine the boxes on each ballot, the following persons were reported to be duly elected, that is to say:

*John King*, Esq. naval officer for *Elizabeth* river. *Jacob Wray*, Esq. for the lower district of *James* river. *Jaquelin Ambler*, Esq. for *York* river. *Hudson Muse*, Esq. for *Rappahannock* river. *Charles Lee*, Esq. for the district of *South Potowmack*.

*Edward Archer*, Esq. a member of the Navy Board, in the room of *George Webb*, Esq.

*Thomas Everard*, *James Cocke*, and *Jacob Bruce*, Esquires, auditors of publick accounts.

*William Russell*, Esq. colonel of the continental troops, in the room of *Samuel Meredith*, Esq.

*William Grayson*, Esq. colonel of the first battalion of infantry raised for the internal security and defence of this country.



A message from the Senate by Mr. Carrington.

MR. SPEAKER,

The Senate are willing *Lewis Burwell*, jun. Esq. should be appointed naval officer of the upper district of *James* river, without ballot; and then he withdrew.

The House taking the said message into consideration,

*Resolved*, That the said *Lewis Burwell* be appointed naval officer of the upper district of *James* river.

On a motion made,

*Resolved*, That the Governour be desired, with the advice of the Privy Council, to appoint proper persons to inquire into the conduct of the keeper of the publick jail, and if he shall appear, upon such inquiry, to have misbehaved, that he appoint another in his stead, to continue in the said office until the meeting of the next General Assembly.

An engrossed bill, *To empower the Governour and Council to employ persons for working the lead mines to greater advantage*, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. *Talbot* carry the same to the Senate for their concurrence.

The House took into consideration the amendments proposed by the Senate to the resolution of this House for preventing the engrossing of salt; and the said amendment was read, and is as follows:

Line 7th, after the word *costs*, insert *on the purchase from the importer*, and leave out the word *thereof* in the same line.

The said amendments being read a second time, were, on the question put, agreed to by the House.

*Ordered*, That Mr. *Carter* do acquaint the Senate therewith.

Whereas it is apprehended that there will be a great scarcity of beef and pork, and that the contractors and commissaries for the *American* armies will be unable to provide sufficient magazines for the great number of troops now raising for the next campaign, unless a timely stop is put to the exportation; and as an embargo in this commonwealth (unless similar measures are adopted by the other United States) will be inadequate to the purpose:

*Resolved*, That it be an instruction to the *Virginia* Delegates to apply to the Hon. *American* Congress, and use their utmost endeavours to procure that the exportation of beef, pork, and bacon, may be immediately prohibited throughout the United *American* States, for such limited time, and under such regulations, as shall be judged proper; and that the Governour be desired to transmit to the said Delegates a copy of this resolve by the next post, or by the first safe conveyance.

*Ordered*, That Mr. *Mason* do carry the said resolution to the Senate for their concurrence.

A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House for putting in execution the statute staple of the 27th of *Edward* the 3d, chapter 17th; and he delivered the same in at the bar, and then withdrew.

*Resolved*, That it be recommended to the several county courts that they proceed to carry into execution the said resolutions in the month of *January* next, or as soon after as possible.

A message from the Senate by Mr. *Mason*.

MR. SPEAKER,

The Senate have agreed to the bill intituled *An act to empower the Governour and Council to employ persons for working the lead mines to greater advantage*.

Also to the resolution recommending to our Delegates in Congress to endeavour to obtain a resolution of that body to prohibit the exportation of beef, pork, and bacon.

Also to the resolution empowering the Governour and Council to appoint proper persons to inquire into the conduct of the keeper of the publick jail. And he delivered the same in at the bar, and then withdrew.

Mr. *Prentis* reported, from the committee appointed to examine the enrolled bills, that they had accordingly examined the same, and corrected such mistakes as appeared therein; and that they are truly enrolled.

*Ordered*, That Mr. *Prentis* do carry the said bills to the Senate for their inspection.

*Resolved*, That the Governour, with the advice of the Council, be desired to fill up the vacancies of field officers which may happen in the fifteen continental battalions directed to be raised in this Commonwealth according to seniority in the whole line, and that the preferment of the captains and subaltern officers be confined to the several battalions to which they belong, having the same regard to seniority.

A message from the Senate by Mr. *Holt*.

MR. SPEAKER,

The Senate have examined the enrolled bills, and find them truly enrolled; and he delivered the same in at the bar, and then withdrew.

*Resolved*, That the reverend *William Bland* be appointed to attend the criminals in the publick jail who shall be under condemnation.

A message from the Senate by Mr. *Mason*.

MR. SPEAKER,

The Senate have agreed to the resolutions of this House desiring the Governour to fill up the vacancies of officers in the continental battalions; and he delivered the same in at the bar, and then withdrew.

*Ordered*, That Mr. *Braxton* have leave to be absent from the service of this House for the remainder of the session.

*Ordered*, That there be a call of the House to-morrow, at 9 o'clock.

A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House appointing the reverend *William Bland* to attend the criminals in the public jail; and he delivered the same in at the bar, and then withdrew.

*Resolved*, That the farther appointment of officers be put off till to-morrow.

Adjourned till to-morrow, 9 o'clock.

## FRIDAY, December 20, 1776.

The Speaker laid before the House a letter from *Lewis Burwell*, jun. esq. declining to accept the appointment of naval officer; which being read,

*Resolved*, That this House will this day proceed to the appointment of a naval officer in the room of the said *Lewis Burwell*, and that Mr. *Bullitt* acquaint the Senate therewith.

A message from the Senate by Mr. *Elzey*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House empowering the Governour and Council to pay what shall appear to be due to *John Goodrich* and company for goods purchased of them for the publick service; and he delivered the same in at the bar, and then withdrew.

The House, according to the order of the day, proceeded, by joint ballot with the Senate, to the appointment of colonels to the second and third battalions of infantry raised for the internal security and defence of the country, of lieutenant colonels and majors to the three battalions, and of a naval officer for the upper district of *James river* in the room of *Lewis Burwell*, esq. and having exchanged with them lists of the persons to be ballotted for on each occasion, and appointed committees from this House, jointly with the committees from the Senate, to examine the boxes on each ballot, the following persons were reported to be duly elected, that is to say:

*James Duncanson*, esq. colonel of the second regiment. *Thomas Blackburn*, esq. lieutenant colonel. *William Brent*, jun. esq. major.

*Philip Love*, esq. colonel of the third regiment. *Gregory Smith*, esq. lieutenant colonel. *Charles Dabney*, esq. major.

*Haynes Morgan*, esq. lieutenant colonel of the first regiment. *Nathaniel Cocke*, esq. major.

*Beverley Dickson*, esq. a naval officer for the upper district of *James river*.

*Resolved*, That *Joseph Prentis* and *Edmund Randolph*, esquires, be appointed commissioners to take depositions in the city of *Williamsburg* relating to the claim of *Richard Henderson* and company depending before the General Assembly, and *Daniel Smith* and *William Campbell*, esquires, added to the commissioners in the county of *Washington*.

*Ordered*, That Mr. *Bullitt* do carry the said resolution to the Senate for their concurrence.

A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House for appointing persons to take depositions relating to the claim of *Richard Henderson* and company; and he delivered the same in at the bar, and then withdrew.

On a motion made,

*Resolved*, That this House will immediately resolve itself into a committee to take into their consideration the state of *America*.

The House accordingly resolved itself into the said committee; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the state of *America*, but not having time to come to any resolution thereupon, had directed him to move for leave to sit again.

*Resolved*, That this House will to-morrow resolve itself into the said committee.

*Ordered*, That there be a call of the House to-morrow, at 9 o'clock.

*Resolved*, That the farther appointment of officers be postponed till to-morrow.

Adjourned till to-morrow, 9 o'clock.



SATURDAY, December 21, 1776.

*Resolved*, That to enable the officers in the troops of horse, as well as the privates who are ordered to join his Excellency General *Washington*, to carry their necessary baggage and clothing, one waggon be allowed to every two troops for that purpose, and that the subaltern officers of the said troops be each of them allowed to draw forage for one horse, over and above what was formerly allowed them.

*Ordered*, That Mr. *Penn* do carry the said resolution to the Senate for their concurrence.

*Resolved*, That the Treasurer of this Commonwealth do take the most expeditious and secure method of remitting to Mess. *Norton* and Sons, merchants in *London*, the balance due to them for bills of exchange drawn by the late Treasurer under the order of the late House of Burgesses for the purchase of necessaries for this country, unless they are willing to receive the whole, or part thereof, in current money, at 50 per centum exchange.

*Ordered*, That Mr. *Jones* do carry the said resolution to the Senate for their concurrence.

For the ease and relief of the people on the frontiers,

*Resolved*, That the following gentlemen be, and they are hereby appointed to collect all the militia claims, as well for provision and other necessaries as the pay of the men late on duty, except such as were on the expedition against the *Cherokees*, and administer oaths and take depositions for supporting the said claims, where necessary: For that part formerly called *West Augusta*, *Robert Wood*, Esq.; for *Augusta* county, *Samuel M<sup>d</sup> Dowell*, Esq.; for *Botetourt* county, *John Bowyer*, Esq.; for *Bedford*, *Pittsylvania* and *Henry*, *Charles Lynch*, Esq.; and for *Montgomery* and *Washington*, *Thomas Madison*, Esq.; and that the said commissioners do convey their accounts and vouchers respectively to the auditors to be by them properly adjusted, and warrants granted to the said commissioners respectively to receive the sums due the several claimants within their several districts aforesaid, they giving bond and security to the Governour for the use of this Commonwealth for the due application and payment thereof to the several claimants. And that the said commissioners be allowed 10s. per day for their services, for the time they shall be employed in that business.

*Ordered*, That Mr. *M<sup>d</sup> Dowell* do carry the said resolution to the Senate for their concurrence.

The House, according to the order of the day, resolved itself into a committee on the state of *America*; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Treasurer reported, that the committee had, according to order, had under their consideration the state of *America*, and had come to the following resolutions thereupon; which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to.

It being of the utmost importance that the nine battalions heretofore raised in this Commonwealth, and now in continental service, should be completed, and the six new battalions for the same service, as well as the three battalions on the pay of this Commonwealth, raised with all probable expedition:

*Resolved*, That it be earnestly recommended to the justices, the members of the county committees, the militia officers, and the other good people of this Commonwealth, to use their best endeavours to forward and encourage the recruiting service, upon which the safety and happiness of their country so much depends.

And whereas the present imminent danger of *America*, and the ruin and misery which threatens the good people of this Commonwealth, and their posterity, calls for the utmost exertion of our strength, and it is become necessary for the preservation of the State that the usual forms of government should be suspended during a limited time, for the more speedy execution of the most vigorous and effectual measures to repel the invasion of the enemy:

*Resolved*, therefore, That the Governour be, and he is hereby fully authorised and empowered, by and with the advice and consent of the Privy Council, from henceforward, until ten days next after the first meeting of the General Assembly, to carry into execution such requisitions as may be made to this Commonwealth by the *American* Congress for the purpose of encountering or repelling the enemy, to order the three battalions on the pay of this Commonwealth to march, if necessary, to join the continental army, or to the assistance of any of our sister States, to call forth any and such greater military force as they shall judge requisite, either by embodying and arraying companies or regiments of volunteers, or by raising additional battalions, appointing and commissioning the proper officers, and to direct their operations within this Commonwealth, under the command of the continental generals, or other officers according to their respective ranks, or order them to march to join and act in concert with the continental army, or the troops of any of the United *American* States, and to provide for their pay, supply of provisions, arms, and other necessaries, at the charge of this Commonwealth, by drawing on the Treasurer for the money which may be necessary from time to time; and the said Treasurer is authorised to pay such warrants out of any publick money which may be in his hands, and the General Assembly will at their next session make ample provision for any deficiency which may happen. But that this departure from the constitution of government, being in this instance founded only on the most evident and urgent necessity, ought not hereafter to be drawn into precedent.

*Resolved*, also, That the Governour be desired to transmit by express copies of these resolves to the *American* Congress, and to the neighbouring States of *Maryland* and *North Carolina*, to satisfy them that we are exerting ourselves in defending the liberties of *America*.

*Resolved*, That our Delegates be instructed to recommend to the consideration of Congress whether it may not be necessary and expedient, in the present dangerous and critical situation of *America*, in order to give vigour, expedition, and secrecy to our military measures, to invest the commander in chief of the *American* forces with more ample and extensive powers for conducting the operations of the war; and that they will earnestly exhort the different

Legislatures of the United *American* States to adopt the most speedy and effectual methods for calling their military force into action, and co-operating with the generals of the *American* armies.

*Ordered*, That Mr. *Mason* do carry the said resolutions to the Senate for their concurrence.

A message from the Senate by Mr. *Lee*.

MR. SPEAKER,

The Senate have agreed to the several resolutions of this House for allowing one waggon to every two troops of horse.

For paying to *John Norton* and Sons the money advanced for the use of this country, without any amendments.

They have also agreed to the resolution for appointing commissioners to collect the claims of the militia on the frontiers, with an amendment, to which they desire the concurrence of this House. And he delivered the same in at the bar, and then withdrew.

The House took into consideration the said amendment, and the same was read, and is as follows: Line 9th, leave out the words *Robert Wood*, and insert *Thomas Brown*.

The said amendment being read a second time, was, on the question put, agreed to by the House.

*Ordered*, That Mr. *M'Dowell* acquaint the Senate therewith.

Whereas it hath been recommended to the good people of this colony to enter into associations for the support of the wives and children of the poor who shall enter into the several battalions now raising in this Commonwealth, and whereas it is not certain that sufficient sums will immediately be subscribed for the purposes aforesaid:

*Resolved*, That the courts of the several counties be required, and they are hereby empowered, to furnish the wives and children of such poor soldiers who cannot be maintained by such associations with necessary provisions, and to draw on the Treasurer for such sums of money as shall be requisite, who is hereby required to pay the same.

*Ordered*, That Mr. *Griffin* do carry the said resolution to the Senate for their concurrence.

A message from the Senate by Mr. *Henry Lee*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House for giving additional powers to the Governour and Council, and for other purposes therein mentioned, with an amendment, to which they desire the concurrence of this House; and he delivered the same in at the bar, and then withdrew.

The House took into consideration the said amendment, and the same was read, and is as follows: Page 2d, line 5th, leave out the words *the usual forms of government should be suspended*, and insert *additional powers be given to the Governour and Council*.

The said amendment being read a second time, was, on the question put, agreed to by the House.

*Ordered*, That Mr. *Mason* do acquaint the Senate therewith.

A message from the Senate by Mr. *Jones*.

MR. SPEAKER,

The Senate have agreed to the resolution of this House providing for the wives and children of the soldiers; and he delivered the same in at the bar, and then withdrew.

Adjourned until the last *Thursday* in *March next*, then to meet in the city of *Williamsburg*, or at such other place as the Governour and Council, for good reasons, may appoint.

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